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TO: DIRECTOR, FBI (65-74060)
 FROM: SAC, NEW HAVEN (65-2389) (P)
 SUBJECT: MC LEK
 SIO

RE: New Haven nitel, dated 3/4/72.

Enclosed herewith for the Bureau are 6 copies and for Boston and Los Angeles are 2 copies each of a LHM, captioned, "DANIEL ELLSBERG," dated 4/7/72. Also enclosed for the Bureau are 2 copies of a news clipping regarding ELLSBERG'S talk on the evening of 3/3/72, entitled, "ELLSBERG Scores NIXON on War." Enclosed for the Bureau are 3 copies, and for Boston and Los Angeles are 2 copies each of a

ENCLOSURE - 31 H. 1. 2

3 - Bureau (Encls. 10)

2 - Boston (65-5263) (Encls. 4)

2 - Los Angeles (105-27952) (Encls. 4)

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NH 65-2389

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the New Haven Office in captioned case file.

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jmw*



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New Haven, Connecticut

April 7, 1972

In Reply, Please Refer to

File No. NH 65-2389

RE: DANIEL ELLSBERG

On the evening of March 3, 1972 at 8:15 p.m., DANIEL ELLSBERG appeared at Temple Mishkan Israel, 78 Ridge Road, Harden, Connecticut as the Sixth Annual Peace Service Speaker.

There follows a verbatim transcript of ELLSBERG'S remarks.

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ENCLOSURE

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RE: DANIEL ELLSBERG

Rabbi Goldberg:

"In my sermon of Yom Kippur, I made reference to our guest speaker tonight, but I did not know at that time that I'd have the pleasure of introducing him this evening. I had met him very briefly last August when he spoke on behalf of the BERPIGANS at the summer home of Dr. ROBERT J. LIFTON in Wellfleet, Massachusetts, and I heard him again in January at a dinner in New York City. In the same Yom Kippur sermon, I made reference as well to ARTHUR SCHLESSINGER, JR., whose article in 'Harper's' magazine I believed to be unworthy of a historian and a scholar. Since I seldom agree with Professor SCHLESSINGER, I'm all the more happy to quote him now with words that I find to be both honest and true. They appear in that well known subversive newspaper, 'The New York Times,' (laughter) Sunday Magazine Section, February 6, 1972, and are as follows:

"Says Professor ARTHUR SCHLESSINGER: 'Illegitimate secrecy has corrupted our conduct of foreign affairs and deprived the people of the information necessary for the democratic control of foreign policy. So long as the Executive Branches persist in these abuses, and so long as Congress remains unwilling to assert itself, the courage of the ANDERSONS, SHEEHANS, and ELLSBERGS would seem to provide the only restraint and recourse, if we are to get our democracy back into working equilibrium.' That's the end of the quotation.

"When Professor ARTHUR SCHLESSINGER, JR., begins to sound like Professor HOWARD ZINN, perhaps things are changing. What say you, DAN ELLSBERG, who I think we all know and welcome.

Daniel Ellsberg:

"'And in the second year of the reign of Nebuchadnezzar, Nebuchadnezzar dreamed dreams. And his sleep was troubled; and his sleep broke from him. Then the king commanded to call the magicians, and the enchanters,

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and the sorcerers and the Chaldeans to tell the king his dreams. So they came and stood before the king and the king said unto them: I have dreamed a dream and my spirit is troubled to know the dream. Then spoke the Chaldeans to the king in Aramaic: Oh king, live forever. Tell the servants the dream and we will declare the interpretation. The king answered and said to the Chaldeans: The dream is lost from me. If you make not known unto me the dream and the interpretation thereof, you shall be cut in pieces and your houses shall be made a dunghill. They answered a second time and said. Let the king tell his servants the dream and we will declare the interpretation. They said, There is not a man upon the earth that can declare the king's matter, for as much as no great and powerful king can ask such a thing of any magician or enchanter or Chaldean, and it is a hard thing that the king asketh, and there is none other that can declare it for the king except the gods whose dwelling is not with flesh. For this cause the king was angry and very furious and commanded to destroy all the wise men of Babylon. So the decree went forth and the wise men were to be slain. And they sought DANIEL and his companions to be slain. Then was the secret revealed unto DANIEL in a vision of the night. Then DANIEL blessed the God of Heaven. DANIEL spoke and said, "Blessed be the name of God from everlasting even unto everlasting. For wisdom and might are his and he changeth the times and the seasons. He removeth kings and seteth up kings. He giveth wisdom unto the wise and knowledge to them that know understanding. He revealeth the deep and secret things. He knoweth what is in the darkness, and the light dwelleth with him. Oh, King, thy thoughts came into thy mind upon thy bed what should come to pass hereafter. And he that revealeth secrets hath made known to thee what shall come to pass. But as for me, the secret is not revealed to me for any wisdom that I have more than any living, but to the intent that the interpretation may be made known to the king and that thou mayest know the thoughts of thy heart."

"The dream that DANIEL interpreted to the King, Nebuchadnezzar, was a dream of a great image which was mighty and its brightness was surpassing and stood before

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re. The image's head was of fine gold and the gold he said was the King Nebuchadnezzar, and its feet were of clay.

"Some years ago, an old professor of mine, former Professor JOHN K. FAIRBANKS, of Harvard, made a statement about the war in Indochina. He said, 'We sleep in the same bed the French slept in, though we dream different dreams.'

"In 1967, I came back from Vietnam determined to know what were the dreams that had moved us in Vietnam for so long. How long I didn't know then. But what had the nation been dreaming? What had presidents been dreaming? What was the secret of those motives that had led us to do what we were then still doing in Vietnam, and are still doing in Vietnam? I came back from a country that was being devastated by Americans. I was struck here in the service by the line, 'When you do war against a city, you have to besiege it a long time in order to capture it. You must not destroy its trees, wielding the axe against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you under siege?'

"I've flown in small planes over Vietnam and seen a strange sight - a river green and lush on one side; red desert on the other side, a narrow river. On the red side, American planes had flown American-produced chemicals bought by funds appropriated by our Congress to kill all vegetation and we had created a desert in large parts of Vietnam. We'd done many other things.

"I had gone over in 1965, a long time ago, in terms of bombs and shells, 12 million tons ago. This country, however, had seen devastation before and inflicted it before. That is war. Many of the men in this audience have seen war, I'm sure, have fought, probably in what they felt was a just war, and have learned people die in war, civilians die in war, innocents die in war, trees are destroyed in war - although never in the way that we are doing it now. Before, never with the defoliation program, but people have been killed before, if not with napalm, by

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other means, in a cause that Americans could consider just.

"Was this such a war? One assumed that those dreams that had led us were the dreams of just men, of honest Americans, patriots, who must then somehow have misunderstood what they were doing or at least, misunderstood their chances for achieving some just purpose in what they're doing. What was it then that had misled them? I wanted to know that, after those years. I say men had done this. I had done it, as part of the system, for two years.

"I came back then in 1967, which I believe was the year this peace service was first given determined to study and learn the secrets of this. And having spent at that time already almost 10 years dealing in secret matters for the government, for the Rand Corporation, I was invited to join a study in the preparation of a very long book, 7,000 pages long ultimately. And since, knowing the history from '65 and '64 on having joined the Defense Department in '64, I knew that the answer to what we had been doing did not lie in that period. I went back to 1961, the period that many of us in this country think of as the beginning of our direct involvement, the year after this beautiful temple was begun was started. The answer didn't lie there either, to my surprise, and this was the dispute with Professor SCHLESSINGER. I found that by no means was it true, as he had said in a number of writings, that a succession of presidents and, he particularly mentioned KENNEDY, had been led on by the dream that success was theirs in a very short time and without killing many people. He didn't put it in quite those terms, but that was the gist of it, and thus, did not, not too much in the way of national interest was required to justify this purpose. And that had simply been misled.

"But that turned out not to be true. Just as in '64 and '65 when I was well aware from my work in the Defense Department, we had not expected the war to be cheap or easy or short, either in U. S. lives or in Vietnamese lives, that turned out to be the case in 1961 as well. So I went back to '54, another period that often is meant to mark out, the, beginning of our involvement, with President

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EISENHOWER'S commitment to Dien (phonetic). But in this study, as it became available to me, and at that point, I was the only researcher who was spending full time trying to learn 'Lessons of Vietnam' for the Government. I was the only one who had done that and I was doing it on my initiative and for that purpose this study was made available to me on which I had worked. The whole study was made available. So I went back to '54 and discovered there again to my surprise that our involvement had not begun in '54 and the answer did not lie there, as to what the dreams we had dreamed that differed from the French might have been.

"I went back to 1950, when we first gave our first direct credits to the French and their IndoChinese clients, in May of 1950. Eventually, I had to go back to the beginning of the war and that was longer than Rabbi GOLDBURG has been your Rabbi here. He tells me that he came in 1948, but in December, 1946 after a year and a half, I learned, in the Pentagon Papers - and you can learn in the first volume of the Beacon Press edition, or in the late volumes of the Government Printing Office edition, how it was that the war had looked to us at that time. The implication remember of my interpretation and SCHLESSINGER'S interpretation had implied to me that given our revolutionary past, our anti-colonial ideals, we could not knowingly have allied ourselves in a cause that we saw as otherwise than just. We could not have allied ourselves in a cause, defined as the French defined it to themselves - a straightforward colonial war. We must have been ignorant. And that was easy to believe for this country is ignorant of Vietnam. It still is to this day, officials most of all. There's nothing implausible about that.

"Therefore, it was a shock when, in August of '69 and September of '69 I finished reading the Pentagon Papers, having put the earliest part to the end to read, thinking it was least relevant, but having been driven back to that period at last. And I read about the beginning of the conflict between the French and the Indo-Chinese, the violent conflict. Having learned by that point in the reading, something that I had not really realized before had sunk in - that HO CHI MINH'S position at that time was not that of a

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CASTRO having landed on Cuba with a dozen men, according to the Siena (phonetic). His position was that of a head of state to whom the Emperor BAO DAI had abdicated formally more than a year earlier. And for a year and a half at this time he had been the head of state recognized as such by France, with all the honors of a head of state, in the course of negotiations, with control of the state, the police, the army, the post office, the records, the civil service. Election had been held - as honest as ever held in Vietnam and in fact quite honest - which had ratified his government.

"In December 19th, 1946, the French then began their effort at what we perceived, as the documents show clearly, their colonial reconquest of Indochina, the only attempt in the post-war world of a former colonial power to recapture by force a former colony that had declared its independence and had acted independently for some period. That is not from the writings of the New Left, or the Revisionists. This is how it is seen in the estimates, the national intelligence estimates written and to be found in the Pentagon Papers.

"On December 23rd, 1946, four days after the fighting broke out in the outskirts of Hanoi, the then Director of the Far East Bureau, or actually assistant secretary for Far East, JOHN CARTER VINCENT, wrote a memo on the events to DEAN ACHESON, who was then acting secretary of state, interpreting those events, and what he told them our highest official in the State Department at that moment that was the time when DEAN RUSK, by then was assistant. Later DEAN RUSK was an Assistant Secretary of State during the Korean War and, recall the fall of China, he was around at this period, too. Although the French and IndoChina had made far-reaching paper concessions to the Vietnamese desire for independence for autonomy, French actions on the scene had been directed toward whittling down the powers and the territory and extent of the Vietnam free state. This process the Vietnamese have continued to resist. At the same time the French themselves admit that they lacked the military strength to reconquer the country. In brief, with inadequate forces, with public opinion sharply at odds, with a government rendered largely ineffective through

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internal division, the French had tried to accomplish in Indochina what a strong and united Britain has found it unwise to attempt in Burma.

"Given the present elements in the situation, guerrilla warfare may continue indefinitely.' That was written December 23rd, 1946, we just had the anniversary of that memo a few months ago, the 25th anniversary of the Indochina War. VINCENT was right. The French did not have the power to reconquer the country and we knew it.

"From late '46 to 1950, we supplied aid to France knowing that it was used to back up their effort in Indochina, and without that aid the French effort to reconquer the country would have failed. From '50 on when it was clear that only direct aid could save the French presence in Indochina, we supplied the direct aid. For 25 years, without missing a year, American napalm has dropped on Indochinese people.

"So, it seems the dreams were not so different after all, and the secrets of those dreams that I read in the Pentagon Papers, that were news to me, they were secrets revealed to me as I read them with authorization, were these among others; that there has been no first and second Indochina war, as some people say. There has been only one war for 25 years, basically an American war, because there has never been a year of that war when there would be violence in Indochina on the scale that could be called a war, without American Money, napalm, arms, and ultimately planes, pilots, and men to do that killing.

"Is there now a third Indochina war, as FRED BRATMAN (phonetic) and some others have suggested - an automated war? No, that too is part of the war, but interestingly, on the day the anniversary day - of that memo, there was a note in the 'New York Times' with a story headed 'Hanoi Challenges Air Power of U. S.,' saying the American air war in Indochina has entered a new phase with direct confrontations between American and North Vietnamese planes. The third war that BRATMAN has defined as the

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automated battlefield, the war of sensors, of air-dropped mines, of sensors, essentially of bombs from the air, not of ground combat, with Americans. The 'Times' story ends this way: 'One young pilot in De Nang summed up his experience this way: "We keep on bombing and we keep under estimating how ingenious an enemy we're up against. When we try something, he develops counter-tactics and it just never ends." Saigon, December 19th, 1971.'

"Well, other things that came out from the war, from the reading that I did, as this reading that I've just given you suggests I think fairly strongly was that not only has there been one war, not only has it been an American war, it has been a presidential war, a war in which presidents have made decisions that in most cases went against the advice of their principal advisors, which often was to go even harder and stronger, or which was not validated by the Department, by the advice which we (illegible) policies chosen consciously by the U. S. presidents, four of them revealed in the Pentagon Papers and now a fifth. Nor was it a civil war. The notion that we had intervened in a civil war as we did in China where there was a civil war, it turns out to be in the Pentagon Papers, as much an American as a question from the North. To call a war a civil war, in which one army, one competing faction is entirely equipped, paid, and supported by a foreign power, is not a civil war. It is aggression after all American aggression and in the principles of the Nuremberg, the Nuremberg principles that the U.N. of 1950, ratified in 1950 American language that we insisted upon it is a crime against peace.

"Now these are terms and conclusions that before I read the Pentagon Papers I would have regarded as extremist, as rhetoric-radical rhetoric. Obviously it is not the conception with which I went to Vietnam, nor is it even the conception with which I returned from Vietnam where I still imagined that the deaths that I had seen could have been justified at least in terms of misunderstandings and ignorance, but it now turned out there had been ignorance, plenty of ignorance, but not enough to explain the decisions. The decisions had been adequately foresigned as to what we

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were doing - consciously violating the Geneva Accords of '54, consciously violating our own given understandings at that time, unilaterally, consciously violating all principles of self-determination that we have ever acknowledged, consciously violating the U.N. Charter ratified by the Senate, and I would say consciously violating the principles of the Constitution since what was used as a declaration of war, was obtained by fraud from the Congress, by conscious deception of the Congress, revealed in detail in the Pentagon Papers. But that was a matter in which I did not need instruction from the Pentagon Papers. I had been in the Department of Defense during that period and was aware of that fact. Hence, the crime against the peace, against the Constitution, against international law, against all of our principles.

"When I read that, it was clear that it was no use going to the king with that interpretation, although it was more clear than it had ever been before that we were getting amazingly close in this country to having a king; that it was also clear that the king or king-president was part of the problem.

"There is no procedure, yet I hope there will be after hearings and after court decisions and perhaps after my own case, whereby an official or someone with authorized access to what appears clearly to be documentary evidence of crimes and war crimes, of crimes against violations of the Constitution, deceptions of the public, there is yet no authorized procedure whereby he can bring that to the attention of anyone but those who have committed those violations, his bosses in the Executive Branch. This clearly seemed to be information that at least the Congress should have and my first act in '69, and I'm not going to go through all that history, my first act was to bring this information to the Senate Foreign Relations Committee. That didn't end the war. That was in '69.

"In the 3 years during which NIXON has been winding down this war, he has dropped 3.2 million tons of bombs, or a little more than that, this month. 3.2 million tons of

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bombs is the same amount which he has now surpassed that LYNDON JOHNSON dropped in a somewhat longer period. It represents the amount of tonnage that was dropped in World War II in all theaters and Korea combined, with enough left over for World War I. So, to say that is to say that RICHARD NIXON, like LYNDON JOHNSON, RICHARD NIXON now has dropped more aerial bombs as president than any other human being in history and he is continuing that bombing at the same rate, of World War II.

"How do you, after all, manage to continue into its 26th year a war, the popularity of which, quite apart from legality or anything else, was so uncertain to five presidents that they have never trusted popular support for them or their policy if they had described honestly what their own perceptions of the war and its objectives were? You continue only by making it invisible, by declaring, 'War is peace,' and meanwhile, shifting your operations in such a way that American casualties, which are very visible to the people, American presence, American dollars are all reduced. You shift the war to the air, you shift the war as much as possible to Laos and Cambodia where reporters do not follow. You shift the bodies, the burden of killing and dying to Vietnamese, Laotians, and Cambodians, as much as possible, in hopes that the reduction to very low levels of American deaths means to the American people that there is no war. And yet the legitimacy of that process is, I think suggested very seriously, and clearly in the service tonight.

"In every other law, the Torah, if a man is commanded, 'Transgress and suffer not death. He may transgress and not suffer death excepting idolatry, incest, and shedding blood. Murder may not be practiced to save one's life.'

"I might mention that the people, many of whom I knew whose names appear in the Pentagon Papers who made these decisions, were surely patriotic, conscientious, principled, dedicated, worked very hard and not only for themselves. But on the other hand, I must say that they were not all familiar with the Torah, but this is a principle not peculiar to the Jewish religion. They did have a very large list of reasons in their minds that justified killing.

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"For example, to avoid the return of a right-wing backlash in this country - the MC CARTHY period which had launched us on this war in Indochina and one phase of which President NIXON, who started it, is now ending, the phase in China itself. In order to avoid that, HENRY KISSINGER, has told us, the president had to act so as to neutralize the REAGAN-GOLDWATER-WALLACE type of right-wing force in this country. And this could be done only by extremely slow and prudent withdrawal and a shift over to bombing from the dying by Americans. An important objective, but one that does not justify the hundreds of thousands of Vietnamese deaths that we have inflicted in that period. War month - the month, the week, actually that General, that President NIXON, or commander-in-chief, not a general yet saw PATTON twice, was the week in which he presented to the American consciousness for the first time in this war picture of American-supplied tanks moving in formation across a friendly border into another country without authorization, trailing plumes of dust behind them. Images that were very familiar to Americans who were just old enough, and I'm just old enough, they were not images of PATTON. He was forcing Americans to see their tanks, their sons in the images of Blitzkrieg. And that turned out not to be the last invasion. By the spring of this last year I had to go to the Senate and say to a Senator there, to the one I was dealing with, 'Since I gave you these documents, two invasions have taken place. I can't wait any longer. If you can't bring these out, do something with them. I'll have to find some other way. And I tried various other ways before they came out.'

"One last question, and I don't mean to focus on my (illegible).

"The question that faces us as a country is this: Can a war with these unjust origins be prolonged for a quarter of a century, and more, and preserve democracy? The question is raised because, to our credit perhaps, each of these five presidents has felt it essential to lie to the people to get their policy sufficient support. That is flattery; that's a compliment and I hope they are right,

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that he could not have revealed that policy honestly and openly, he could not have revealed these documents and prolonged the war that long. I hope it will prove to be that the documents are incompatible with continuing the war much longer. But in any case, in a choice then between informing the public and allowing them to exercise informed choice either in elections or in other means, he chose to lie and conceal. In a choice between continuing the war and preserving the First Amendment, President NIXON has clearly made his choice. That was clear when he tried for the first time in our history, when he, in fact, succeeded in getting a prior stoppage, an injunction against the newspapers in the case of the Pentagon Papers. He did not get a permanent one, but the temporary one was already a first. The case against me is the first time that the Espionage Act has been used against anyone revealing information to Americans, and in fact, the first time that the Act has ever been prosecuted under any law, since Congress has repeatedly refused to pass amendments to the Espionage Act, or other laws that would correspond to an Official Secrets Act, such as the British have, which would make my acts clearly illegal. That lack of a law making these acts crimes has always prevented previous administrations, no matter how angry they were at the embarrassment caused, from prosecuting people who have done what I have done. People who have brought out memoirs, for profit - that's incidental - who have revealed things like ROGER HILSHAN or ARTHUR SCHLESSINGER or TED SORENSON, each of which was investigated in the State Department and the Defense Department in hopes that they could be successfully prosecuted and in each case the general counsels replied, no, there is no basis for prosecution here. We do not have an Official Secrets Act covering this. You see, Britain does have an Official Secrets Act, but it does not have a First Amendment, and there is a conflict there.

"So this administration decided to try it anyway. If they succeed, we will have the equivalent of an Official Secrets Act and there will be many more prosecutions. And that will not be all the harassment against free speech. As I say, it is a compliment to the democracy that survives in this country, that presidents felt they did have to have secrecy and lies to pursue these policies, these murders.

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'Innocent blood may not be shed, Pabbi, said; If the Government orders thee to slay another, it is forbidden. Let him rather slay you than that you should commit murder.'

"I was fortunate enough in '69 to meet young Americans who were choosing to go to prison. Some of them have just gotten out rather than to commit what they saw as murder. And at that same time, having read the Pentagon Papers, I now saw it as murder so that made my choice much easier.

"There's one other aspect to the First Amendment which is relevant and that is freedom of religion. Is there freedom in this country to practice atheism or agnosticism with respect to the religion of the state? One of the things one may not do under the Torah is idolatry. And what had kept those documents that I just read to you, the one of them, for example, but what kept that secret for 25 years, was a succession of officials who were not only afraid, but literally awed in habits that had started in World War II and had been continued ever since, awed by the basically religious symbols that accompanied those pages. Their flesh would have crawled and the sweat would have come on their foreheads had they thought of the possibility of taking those pages and giving them to someone not authorized by the Defense Department authorization, and the same would have been true of me earlier. Somehow, in 1969, confronting the killing that we were doing as a result of the concealment of those documents, I no longer was awed by them and I'm not awed any more. I don't think I could be.

"I hope, in other words, I hope that the act will have its consequences of various kinds. I think that the Anderson Papers are evidence that it has to some extent, and I think that what happened to the people who found themselves psychologically able to give those papers to Anderson revealing new lies by this administration was that, after they had read the 'New York Times' in June of last year, they were now able to look at these papers magically inscribed with symbols, 'Top Secret,' 'Secret,' 'Sensitive,' 'Eyes Only' and see them not as religious documents, but

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something that their wives and children might possibly read and they were able to ask themselves how would these look if they did something the people who wrote the Pentagon Papers never did ask and weren't able to ask. And they saw that they had to give.

"In short, 25 years of cold war, 25 years of a war like this, have challenged and changed our democracy and can change it further still. The change that's come so far, that the fact that we have perhaps left some freedom, was marked to me when I first called my father after the Pentagon Papers had been revealed and after my wife and I had come above ground essentially again, after the Supreme Court decision had been made. So that the papers were out. And I called my father, who voted for NIXON, I knew, not knowing really how he would receive this; he was always very proud of awards things and official recognition that I had won in the past and I wasn't sure how he would take this particular one, indictment, and I was very pleased that he was proud of what I had done.

"But in the course of the conversation on the phone, I asked him something that had been in my mind for the past week that it was just too little, too vague, and I couldn't remember it exactly, but something he had told me once about his father who had come from Russia the year before he was born. He was born in New Haven, Connecticut, it suddenly strikes me and just thought about it, in 1889, and his father had come the year before. And I said tell me again why your father came to this country. He said, 'To be free. He was 20 years old. There was a peace-time draft in Russia for seven years, not here. He did not want to spend the rest of his life in the Army, and he came to a land of freedom.' And I said, you mean, he came for the same reasons that friends of mine, that I don't know even - that I respect, have gone to Sweden and Canada this year? He said, 'Well, that's true.' So the movement is the other way now. It doesn't have to be that way. It hasn't been that way that long. But too long, I would say.

"I think it is time now that we have a beginning of an interpretation of the dreams our kings have dreamed, that we awaken from a dream of war, a dream of cold war,

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a dream of endless war on the scale of World War II that justifies an elected monarch, or an elected dictator rather than the Constitution that was designed for us a couple of hundred years ago. Do we waken from that in the way that Americans must have awakened and rubbed their eyes in the last two weeks as they saw the people that we have thought of as enemies for that 20 years drinking toasts to our president and being treated as friends? That showed us on our television what peace means and it showed us very strikingly that what we are doing in Indochina is not peace and must end now. Thank you."

Rabbi Goldburg:

"In the Book of Daniel, that king tried to put Daniel, tried to kill him, he put him in a fiery furnace, you know the story. He put Daniel and 3 other men in the fiery furnace and he looked in and somehow Daniel survived, and there was another fellow walking around with him, and the guy turned out to be an angel of the Lord. I don't know what angels of the Lord who are walking around these days. Our Government is trying to put men who have commitment and courage to human ideals, to human freedom, to peace, above their personal safety. Our Government tries to put them in various kinds of fiery furnaces and ordeals and we hope that one of your angels, LEONARD BOUDIN, your attorney, will be one of those that will together with you, help bring peace and freedom to us all. It is very tragic, however, that so many people are under, well, work under certain assumptions. We learn so very, very slowly. The assumption is made, I know, by countless numbers of people that DANIEL ELLSBERG committed civil disobedience. This is not true. People also make the assumption, regardless of how often they know it again and again, that when a man is indicted, somehow he's guilty of something.

"There is in this congregation tonight, if he's still with us, he joined us for dinner, a friend, the Reverend William Sloane Coffin, the chaplain at Yale, and I won't embarrass him by asking him to stand, we know him, Chaplain Coffin, as you remember, was indicted with that other terrible and dangerous man, Dr. Benjamin Spock, they were put on trial by the United States Government as criminals.

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And these men had to spend enormous amounts of time and energy and get attorneys and finally they were convicted and then Chaplain Coffin had to get another attorney, his second attorney was ARTHUR GOLDBERG and then finally the appeal was won. But do you know what that does to not only these men? Do you know what that does to the American peace movement? Do you know what that does to young people on the university campuses, who see their Governments persecute, prosecute, indict all these people who have stood for peace, the best, public-spirited, most courageous human beings among us. The kind of people that should sit in the councils of government, our Government tries to put in prison. I don't want anyone to be imprisoned, even people who run our Government, even though they may deserve it. I want to follow the Book of Isaiah, 'Let the prison doors be opened and let there be peace.' I want to thank you for your wonderful and warm response to DANIEL FLLSBERG and I want to thank him. I wish there were more like him to render us and render our nation and the world the service that he has done.

"Dr. FLLSBERG will answer questions here and if you have them I'll try to recognize you, and that perhaps in many ways is the best part of the evening."

Question:

"There have been five different presidents involved in this business, each with a diverse outlook and opinion. Were they all evil men? Pursuing an evil course deliberately? You gave us no explanation of what they expected by pursuing this course."

Rabbi Goldberg:

"I'll repeat the question. There were 5 presidents all who pursued the war. Were they all evil men? What did they expect?"

Daniel Ellsberg:

"All of them did evil in our eyes. We judge them? Judge why they did it."

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don't tell us why they did it. The Pentagon Papers are based upon internal documents of the Government and these are basically opaque as to motives. Bureaucrats don't write what they believe and they don't believe what they write. The Pentagon Papers tell us what they wrote and what they did, but not why they did it - and they had many many motives each one for writing. The president, in turn, writes very little down at all, and even the Pentagon Papers don't reveal much of who he spoke to and what he might have said of his more private thoughts. So you have to make guesses and speculations, and test them against the evidence that is available, including in particular evidence beyond what is available in the Pentagon Papers. I've tried to do that in the paper to which ARTHUR SCHLESSINGER was replying. Some theories can be knocked down. That's why I concentrated on SCHLESSINGER'S own theory, which was that the war was a policy of which did attempt to exonerate the presidents by saying that they had - it was a war of inadvertence, a politics of inadvertence, that they had pursued a policy of one more step, each one promises success. And I paraphrased that earlier when I say that that implicitly exonerates the presidents by saying first that they were not told how costly and how illegitimate, let's say, the war might be, but on the contrary, we're told that good or bad it would be over soon, and that covers a lot of evils in our government and in our country. People don't object. Why haven't they objected, why haven't the people objected to this war over the last couple of years when they clearly regarded it as wrong? After all, more than 50 percent of the American people in polls now, say that this war is not merely mistaken, but immoral. And yet, they're not rising up in revolt. Or even in the kinds of demonstrations we've seen in the past. Why is that? Well, because they think it is ending, if not over. The president tells them it is over.

"Was it true then that the president was told the same, as SCHLESSINGER says? No. This the Pentagon Papers dispose of completely. That we can rely on. The president was not told the war was over. So, in any case, the responsibility is the presidents' for what they did. I did give implicitly but I'll just say it very briefly, what I think was a major

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retive bearing on them from 1950 on. It goes back to that period when Congressman NIXON, and Senator NIXON and then Vice President NIXON were berating the democrats for 20 years of treason and specifically for having lost Indochina. That period, that date of May, 1950, which was when President TRUMAN, President TRUMAN, first gave 10 billion dollars of credits which by the way was left over from China's appropriations which had not gone, gone to French and Indochina and entered the war directly in May, 1950. That followed by about a couple of months, JOE MC CARTHY'S denunciations of the democrats who started them, for having lost China, for the treason. That, in turn, followed by days the second conviction of ALGER HISS, which in turn, followed the explosion of a Russian nuclear bomb, and the atomic weapon, and later FUCHS came out and the spies and so forth. So the democrats were described as traitors for having lost China and for having allowed this to take place. I believe that HARRY TRUMAN concluded that he was not about to add the loss of Indochina to the loss of China even if it meant backing a French colonial reconquest which we clearly perceived internally, but did not tell the public was against the wishes of the great majority of the Vietnamese people, and thus opposing self-determination.

"So he entered that lie that year, the very earliest year of our involvement, and we never left it. So they did lie, they did pursue a policy for what they thought of as reasonable reasons, protecting the country from the dissension of a JOE MC CARTHY period right then. I'm giving a long answer, but this is an important question. I'm almost finished - protecting the country from them, as NIXON would say he's protecting it right now from a REAGAN or a WALLACE, and as JOHNSON definitely said he was protecting the country, to his friends, from a GOLDWATER in '64. In other words, 'If not re, someone worse.' - another reason for not suffering this challenge. They're all reasons. They're reasons for doing quite a bit. They are not reasons for killing 2 million people. And 2 million people have died in Indochina because of our policy, civilians. In the period since Cambodia, we have dropped only 140,000 tons of bombs on Cambodia, compared to 4 billion in Vietnam. It took several years and 4 million tons of bombs to convert a third of the population of Vietnam to refugees living

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largely in camps, in wire enclosures, in ghettos on the edges of crowded cities, towns. That figure, a third of the population is a very interesting figure, having been driven there by bombs and shells, 6 million people. The 140,000 tons of bombs, a very small number in Cambodia, under NIXON, have much more efficiently converted one third of the population into refugees, 2 million out of 6 million, in a much shorter period of time. Given the understanding that we know of the newspapers, let alone the Pentagon Papers, I think that act can only be called evil. And although the men who do it can, as I said earlier, be called patriotic, principled, dedicated, hard-working, loyal, and many of them, more in earlier administrations than this come from Yale and Harvard and MIT and the best schools in this country and the best families in this country. Still, their values, I think, must be re-examined in terms of what they have done."

Question:

"How can we ever change the policy since the Pentagon Papers show that you didn't mention those, but five presidents of varying background and party have pursued the same policy?"

DANIEL ELLSBERG:

"The question is a good question and a discouraging question. The record shows conclusively that it is not enough merely to change presidents for want of a different personality, nor is it enough to change parties. Of the 25 years, 14 have been under the democrats and 11 under the republicans - 11 going on 15 or 16 if we re-elect NIXON. So that's not enough. It would seem necessary to change presidents to end the war, given the way NIXON had done, although his change on China gives some hope conceivably that pressure, or whatever, could lead him to change this policy too and end this intervention in Asia. And I don't want to give up on that because giving up on that means at best suffering or dropping another half million tons of bombs.

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"One other tactic though does seem to be promising, and I learned that in the Pentagon Papers, too, and that is the tactic by which the war was ended - the first phase of the war was ended in 1954. In that case the French premier did something unique as far as I know, MENDES FRANCE on May 19, 1954 at a time when I was in OCS in Quantico in Virginia in the Marine Corps when Diem Bien Phu was being besieged, with Marines actually lying offshore waiting to go to its rescue, a time when RICHARD NIXON wanted to send those Marines in. And Dulles and Radford wanted to drop nuclear weapons to relieve them, at that time MENDES FRANCE went before the French people and said, 'If I don't bring peace in 30 days I will resign.' And as that period went on, if you read the part in the Pentagon Papers in the first volume of the Beacon Press edition on the Geneva negotiations, the effect of tying his hands in that peculiar way, unprecedented way, was that he was able to say to his negotiating partners in England and America and some Vietnamese, 'Say look, we don't have a good deal yet but I have 9 days left. I have 3 days left, 2 days.' And he got an armistice signed on June 20th, the 30th day of his negotiation and the armistice.

"Now, that remains today as a reason for demanding of our candidates something that they don't want to do unless they're pressed and they don't intend to do and that is to tie their hands beforehand. To give us a precise commitment - that's the important thing of how and when they would end the war. A commitment which if it led to their election would be a commitment that we shared with the president and he would share the responsibility with us and not bear it all on his own shoulders for whatever happened when he got out. Without that, I am not confident, I'm not certain that even a MUSKIE would resist the temptation to postpone failure in Vietnam if he got in. But with that commitment I think even a MUSKIE, maybe even - any of them, really any of them, would get out. So I think that that is something that citizens can do. Can confront candidates and say in caucuses, in fund-raising dinners, when any kind of support is demanded in this year when they're more dependent on you than ever before, 'We want you to say publicly

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exactly what you would do. MC GOVERN actually has said precisely what MENDES FRANCE said, that he would resign at a certain period. But even short of that, this could be very effective, and that is something I think, that it is achievable.

Question:

(Inaudible)

DANIEL ELLSBERG:

(Inaudible) "as well, call Vietnam the origins of revolution, as I say it just came out a couple of years ago, and I met CYRUS VANCE with whom I'd worked in the Defense Department, on a night in the spring of 1971 and he commented on this book which reveals the kind of thing I was talking about tonight. It has a quotation, for instance, that is rather stunning the first time you read it in terms of our quote enemy. Ho Chi Minh, speaking as head of state in the spring of 1946 before the war broke out while he was still head of state, saying to JEAN SENTONNIE (phonetic), 'Give me something to go back with. Don't let me go empty-handed like this from the negotiations. If it comes to a fight, we will fight, and you will kill one of ours and we will kill one of yours, but in the end it is you that will tire. You read this sort of thing, about this is the man we've been fighting and this is the cause we've been fighting, VANCE said to me, in answer to your question in effect - he said to me that night, he'd just been reading this book, he said, 'Isn't that a remarkable book? If only we'd had that in '65.' Well, I would like to think that that book would have made a lot of difference to us in '65. Actually, I'm quite sure that it would have made a difference to me. I was very hungry for knowledge of the origins of the war. I was forced to rely on things that DEAN RUSK has been saying in public at that time; Bill Bundy and I would have been, I think, impressed by that. For what's that worth?

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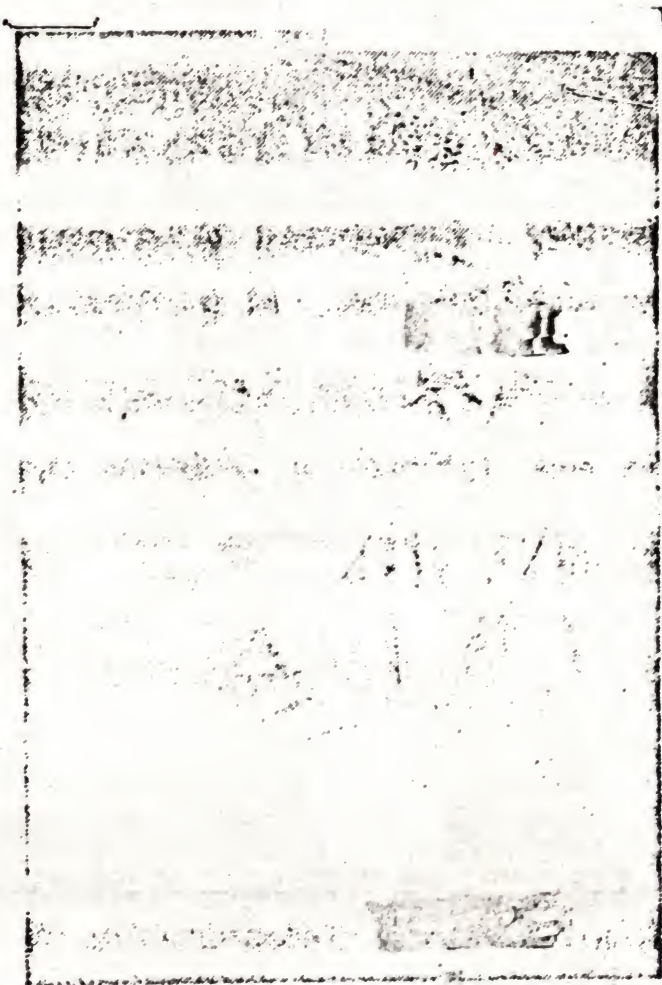
The answer though is that wouldn't be worth very much. I don't think that book would have made much difference and a sign of it is that the book had been out for about a year and was available to HENRY KISSINGER, who spoke to us that night at a backgrounds and he told us, 'Why do you ask us, he said to a questioner, why we don't end the war. We are ending the war. The war is trending down and I assure you it will continue to trend down.'

"We learned the next morning from OSBORNE ELLIOT, the editor of 'Newsweek' who was part of this conference, and who was told by his reporters, that that night, before, when KISSINGER was speaking to us, the pre-invasion bombing of Laos had begun. KISSINGER, I should say, also had available to him the 7,000 pages of the Pentagon Papers in his White House office. He hadn't read them and in fact, I had been unable to get him to read them when I asked him about it earlier.

"So he had them. I'm sorry to say then that it doesn't follow that having them available would, with any high confidence, have ended the war, but it might have, and when I'm asked now do I regret anything about the Pentagon Papers bringing them to the public instead of just to the Senate when I did, I have to say, I only wish that I had done it two invasions earlier. It might have helped."

Rabbi GOLDBURG:

"Friends, a final word, one from Shakespeare and me from the Bible; From Shakespeare the play Henry the VIIIth, at least attributed to William Shakespeare, when the king dismisses Cardinal Wolsey, the lines, 'If I had but served my God as faithfully as I have served my king, He would not have deserted me.' From the Bible, 'Put not your trust in princes. Peace is in your hands. Seek it and pursue it.' The sayings of the Fathers. Thank you. Shabat Shalom."



Saturday Special Photo by Gene Garuck

Daniel Ellsberg leans into microphone to make point before Yale audience Friday. He later spoke in Hamden.

THURSDAY

3311

Ellsberg Scores

Nixon On War

Daniel Ellsberg scored President Nixon as not winding down the war as pledged, and as earning the distinction of having dropped more aerial bombs on human beings than any other president in history.

The MIT scholar and researcher who revealed to the nation the "Pentagon Papers," which largely discredited publicized reasons for involvement in the Vietnam War, spoke before 1,400 people at the sixth Annual Peace Service at Congregation Mishkan Israel in Hamden Friday night.

Ellsberg related the general history of the U. S. involvement in Vietnam, tracing it back to our support of the French fighting there in 1914.

Five Lessons

Ellsberg said he learned in his study of U. S. involvement in the war, five major lessons:

- 1.) "It has been one war for 25 years."
- 2.) "It has been an American war all that time."
- 3.) "It has been a presidential war, often against the advice of advisers."
- 4.) "It is not a civil war. That is the myth—not when one side is entirely financed, equipped, and aided by a foreign power."
- 5.) "It is a crime against our principles, our Constitution, international law, the U.N. charter, against the peace."

Ellsberg was well received by the large congregation that turned out despite cold, bitter weather and poor driving conditions, and urged them to continue individual effort to bring an end to the war.

Encouraged

He added that he was encouraged, citing information revealed by columnist Jack Anderson, that many insiders—even in the White House—were not going to remain silenced in foreign policy areas again.

Ellsberg was greeted by a standing ovation here, just as he had been earlier Friday as he stepped behind the podium at the Yale Law School auditorium. At the end of his speech at Yale, he received the same response.

Between ovations, Ellsberg indicted in Los Angeles for violating the federal espionage act and conspiracy to defraud the government, revealed a duality of effect of his past work.

On the one hand was his revelation of the secret documents on Vietnam War policies, because of his eventual determination that the war was based on "lies, deception and secrecy" and, he said Friday, his wish to help stop further escalation of it.

On the other hand was his discovery that he was Presidential advisor Henry Kissinger's chief instructor in bargaining.

Ellsberg, now a senior researcher at the Massachusetts Institute of Technology, said Kissinger told him at a 1970 meeting at Harvard "Daniel Ellsberg taught me more about

See ELLEBERG Page 2

▶ ELLSBERG

(Continued)

bargaining than any other person."

Ellsberg said that puzzled him for a time until he recalled that he once lectured a Kissinger seminar at Harvard on the "Theory and Practice of Blackmail," as well as another on "The Political Use of Madness."

While not suggesting that Kissinger used his research, Ellsberg noted, "It's hair-raising that they would be alive in his memory."

He said that he finally decided to release the Pentagon Papers just after the Harvard-Yale football game of 1970, when he learned that Hanoi had been bombed and feared an invasion of North Vietnam would follow. It was subsequently learned that the invasion had been considered, he said.

"The Pentagon Papers are out, the bombing is going on," he said, but "I hope I have achieved in putting a ceiling on that kind of thing, making it harder (for the government) to lie, as the president did about Cambodia."

Ellsberg declared that the U.S. involvement in the Vietnam war is "no mistake," but rather an "enduring part of national policy."

President Nixon's problem he said, has been the "selling of the war, and he has done very well; it's a war he was elected to stop."

Ellsberg said Nixon has succeeded in selling the American public on the war by "making it invisible, by shifting it to the air, with no reporters on operations, and with American casualties down—the only dimension Americans are believed to perceive . . . Nixon's gambling that we believe that the war is dying, assuming the public doesn't perceive the deaths we inflict on Asians."

He added, "Nixon's slogan is that of George Orwell in '1984'—'War is Peace.'"

Ellsberg said, "It's up to us to answer Nixon, to show that it's a slander on the American people to say that they don't know the difference between war and peace."

In counterpoint, he was "thankful for Nixon's China policy, I'm thankful that we can change a policy Nixon and his contemporaries started 20 years ago." The television coverage of the China visit "shows that peace can look like," Ellsberg said, "greeting former enemies as friends."

Despite his optimism about the shift in the China policy, Ellsberg observed that "It's maddening, or sadening, to think what Nixon would be saying if a Democrat was doing it."

Buckley Example

What Nixon would be saying, Ellsberg explained, would be similar to conservative columnist William F. Buckley's remark to television commentator Barbara Walters during the Nixon trip.

Ellsberg said Miss Walters noted that the Chinese "don't look like enemies, the regime seems to have done them good." According to Ellsberg, Buckley interjected, "I would be very cautious about saying that, if I were you."

That sort of "Joe McCarthy" fear has maintained the Vietnam policy through five Democratic presidents, Ellsberg said.

To end the war, Americans must do more than change the political party in the White House, he said. "Candidates must say precisely how and when they will end the war. People can demand that in that one vulnerable (election) year when politicians need something from you."

Ellsberg, who is a summa cum laude graduate of Harvard and worked for the Rand Corporation, the Defense Department, and, in 1967, with Kissinger at Rand on Vietnam policy, said he hoped the revelation of the Pentagon Papers would prevent

similar secrecy. "I would like the officials to think that what they're writing might be seen some day, by their wives and children," instead of just the Defense Department.

Cites Defense

Just returned from a hearing on motions connected with his case in Los Angeles, Ellsberg said his defense would be that he had not violated a law. He contends that the Espionage Act "was not intended to cover" his action.

He also noted that "the last American to be tried for giving secrets to Americans was a Yale Man—Nathan Hale."

Ellsberg said that the intent of his action was a key to the case, and that "It obviously was not to harm the country." His case, he said, "has a bearing on the right of the government to carry on an undeclared war in violation of treaties."

The Pentagon Papers also produced another revelation, he said, concerning the relationship of the American people and their government. "It's reasonable that Nixon and the other presidents fear they had to lie."

Date: 4/7/72

Via AIRTEL AIR MAIL (REGISTERED)
(Priority)

Enclosed for the Bureau are five copies of a letterhead memorandum (LHM), for Boston, Newark and Washington Field two copies, and New York one copy, captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR." which sets forth background information concerning the identities and activities of [REDACTED]

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UNITED STATES DEPARTMENT OF JUSTICE

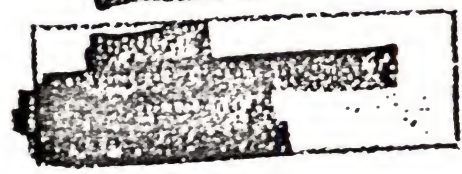
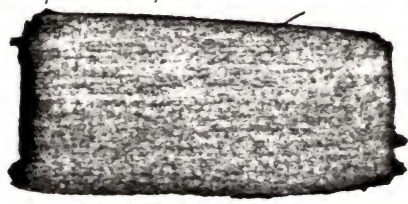
FEDERAL BUREAU OF INVESTIGATION
Los Angeles, California
April 7, 1972

In Reply, Please Refer to
File No.



DANIEL ELLSBERG:
ANTHONY JOSEPH RUSSO, JR.

On March 23, 1972, Anthony Joseph Russo, Jr. filed notice of substitution of attorneys before the U. S. District Court, Central District of California, in Los Angeles. This notice indicated that Defendant Anthony Joseph Russo, Jr. substitutes Leonard I Weinglass, H. Peter Young, and Jeffrey B. Kupers as his attorneys of record in the case. United States of America versus Anthony Joseph Russo, Jr.. Daniel Ellsberg, Defendants. These attorneys were substituted in place of attorneys Michael P. Balaban and Barry Portmann. of the Federal Public Defenders Office. Weinglass' address was indicated as 108 Washington Street, Newark, New Jersey; Young's address as 804 Main Street, Venice, California and Kupers' address is 619 South Bonnie Brae, Los Angeles, California.



APPROPRIATE AGENCIES
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ADVISED BY SLIP(S) OF
DATE 5-18-77

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ENCLOSURE

3397

FBI

Date: 4/6/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (65-74060)
(ATTN.: DID)

FROM: SAC, SAN FRANCISCO (65-6076)

SUBJECT: MC LEK
SIO

Re San Francisco airtel to Bureau, dated 1/12/72,
and Bureau nitel to San Francisco and Los Angeles, dated
12/20/71.

Enclosed herewith for the Bureau are six (6) copies
of an LHM entitled, "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO,
Jr.," dated 4/6/72. Two (2) copies of the LHM are enclosed
for Los Angeles.

The files of the San Francisco Office contain no
pertinent information or information known to be identical
to the subscribers identified in the enclosed LHM.

ENCLOSURE

- 4 - Bureau (Encs. 6) (RM)
 - 2 - Los Angeles (Encs. 2) (RM)
 - 2 - San Francisco
- SMB:lcj #S-7
(8)

20 APR 12 1972

SPEC. INV. OFFICE

Approved: 19 APR 1972
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Francisco, California

April 6, 1972

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.

During period June 13-15, 1971, "The New York Times," a daily newspaper published in New York City, published the so-called "Pentagon Papers." Daniel Ellsberg has since publicly admitted being responsible for making the documents available to the news media in the United States. Anthony Joseph Russo, Jr., and Daniel Ellsberg are currently under indictment for violation of Title 18, Section 371, United States Code (Conspiracy); Title 18, Section 641, United States Code (Stealing, Concealing, Unauthorized Conveying and Receiving Stolen Government Property); and Title 18, Sections 793 (c), (d) and (e), United States Code (Espionage Act). Investigation has indicated that Daniel Ellsberg may have had help in reproducing and distributing these documents to various newspapers throughout the country. Investigation is being conducted to determine

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Los Angeles, California
April 3, 1972

ANTHONY JOSEPH RUSSO, JR.

On March 22, 1972, Anthony Joseph Russo held an informal press conference on the sidewalk in front of Rand Corporation, 1700 Main Street, Santa Monica, California. It was attended by approximately 20 members of the Los Angeles, California Press Corps, which included television coverage, and approximately ten other individuals who arrived at the conference with Russo. Only one of those ten individuals was further identified and that was a woman who identified herself as Katherine Barkley, the wife of Anthony Russo.

An unidentified woman introduced Russo to the press and was observed by Special Agents of the FBI handing out copies of Ramparts Magazine prior to the press conference.

The following is a transcript of the press conference:

ENCLOSURE

WOMAN: Mr. RUSSO worked for the Rand Corporation for four and a half years, and has intimate personal knowledge of the kinds of studies that go on at Rand, and knows that these studies are being kept secret not because they would compromise American security, but because if revealed, they would embarrass American officials and discredit our policy in Southeast Asia.

MR. RUSSO: Have you all read the press statement? Maybe I could just go into this a... When President NIXON goes before the American people, and he says that he has secret information which is guiding him in his decisions about the war, he is referring to data analysis that a.. that's provided by places like the Rand Corporation here, Government funded agencies. Rand is known as the "think tank" of so-called scholars and experts, who are commissioned by Government leaders to do research, which is supposed to be needed for policy decisions. The research, however, is often kept secret from the people and the Congress as well. The official rationale used to justify such secrecy is that the information would aid America's enemies. But, as I discovered in the four and a half years that I worked at the Rand Corporation, the Government has far different reasons for fearing publication of Rand's research. Number one, the Rand Corporation keeps secret information that might discredit some of America's public officials and their

policies. Number two, some Rand studies fabricate information in order to justify whatever foreign policy decisions America's leaders want to make. Now a good case in point, and something that I want to go into in as much detail as you gentlemen wish, is the Rand Vietcong Motivation and Morale Project. Now if this was made public, it would be as revealing as the Pentagon Papers. This is the project which produced the Gourel Bombing Strategy, for example, the Gourel Bombing Strategy is the rationale which lies at the roots of President NIXON's massive escalation of the air war in Laos, Cambodia, and Vietnam. Now, I worked on the Vietcong Motivation and Morale Project from 1965 until 1968. I spent 24 months in Vietnam collecting data through interviews with captured Vietcong, North Vietnamese, and refugees from heavily bombed areas. Tens of thousands of pages of testimony by the Vietnamese were recorded and transcribed, but never released to the public. Now this is information that is as old as eight years.

QUESTION: Are you saying that the Rand Corporation is immoral, Mr. RUSSO?

MR. RUSSO: I'm saying that as long as they keep this information secret, they are complicit in the, what I feel, are the crimes of aggression and genocide in Vietnam.

QUESTION: What about your own morality? People consider that you have violated a trust.

MR. RUSSO: Well I disagree sir, and I'd like to go into that in as much detail as you wish, because it's a matter of conscience, and it is the way that consciousness grows out of conscience, or the way conscience grows out of consciousness, and that's the kind of thing that we're gonna have out in court.

QUESTION: It's your word against a lot of other peoples.

MR. RUSSO: It's not that sir, it's a matter of fact, and provable fact too.

QUESTION: Mr. RUSSO, how do you presuppose to set yourself above everyone else and declare these things, aside from the Government, as being revealable at this time? And how do you suppose that the average layman in any industry, including the Rand Corporation here, can or should set themselves up and declare things not secret that are? How is the average man supposed to detail this to the public?

MR. RUSSO: The average man is supposed to follow his conscience. I do not set myself above anyone. I simply ask that you go and ask them for the facts. I think that a.. the facts speak for themselves. I don't wish to set myself above anyone, sir.

QUESTION: Do you say that they are not following their consciences?

MR. RUSSO: I say they are following bureaucratic rules.

QUESTION: What about you? You violated a trust, Mr. RUSSO.

MR. RUSSO: That's an accusation sir that I think is a..

QUESTION: You have admitted that you have violated a trust.

MR. RUSSO: I have not admitted I violated a trust. I said that I took responsibility for making the Pentagon Papers available to the American people, sir.

QUESTION: Is that not violating a trust?

MR. RUSSO: No sir, that was not violating a trust.

QUESTION: Mr. RUSSO, did you classify those documents yourself as secret?

MR. RUSSO: No, I didn't.

QUESTION: TONY, what does this report say? I mean get into it. What's the point. If, as you say it's revealing as the Pentagon Papers, lay some facts on us.

MR. RUSSO: What it does, what it does is it shows the war at a grassroots level, you see. It shows the inherent justice of the Vietnamese revolution. It shows that the Vietnamese are idealists. It shows that they are patriots. They're patriots much like the people who fought in our revolutionary war, in Virginia, where I grew up.

QUESTION: Which Vietnamese?

MR. RUSSO: Which Vietnamese? It's very hard to distinguish between the Vietnamese.

QUESTION: The ones that live in the North or the South?

QUESTION: TONY, are you talking about the North Vietnamese, or the South Vietnamese?

MR. RUSSO: I'm talking about the North Vietnamese and the South Vietnamese, the ones who are aligned against us in Vietnam. The ones who work for us, are members of the comprador class, the people who have sold out their own countrymen really.

QUESTION: Are you still indigent?

MR. RUSSO: Am I still indigent, virtually yes sir.

QUESTION: How do you maintain that?

MR. RUSSO: How do I maintain what?

QUESTION: Your indigency.

MR. RUSSO: I don't understand the question.

QUESTION: You just not work? Is that it or..

MR. RUSSO: I don't understand the question sir.

QUESTION: He says that you don't work, and how are you getting along? How are you supporting yourself if you're indigent?

MR. RUSSO: I spend all of my time trying to organize my defense.

QUESTION: TONY, the remark you made about the Vietnamese, a lot of people are not going to understand that. I'm going to give you another crack. You're praising the North Vietnamese as being great patriots and etcetera, and the South Vietnamese, if I follow you, as being, you know, nothing akin to almost traitorous. Do you really mean that?

MR. RUSSO: I mean that the North Vietnamese and the South Vietnamese that we are fighting, sir, are patriots really. You see, they are not manipulated by any outside forces. They are intelligent, determined, and committed, really. Now I spent two years talking to them in the prisons of South Vietnam, and this is something that took a long.. it took a long time for me to realize this, you see. When I first went there, I wanted to believe that they were terrorists. I wanted to believe that they were communists who were a..manipulated from the outside, but that was not the case at all.

QUESTION: You didn't find any patriots or people who believe they were fighting for a just cause among the South Vietnamese?

MR. RUSSO: Very few, very few.

QUESTION: But this is just from your assumption, is it not? Your basing your entire actions on your own assumption.

MR. RUSSO: No sir, I'm basing these on fact, sir. And if you could..

QUESTION: Do you speak Vietnamese?

MR. RUSSO: Yes sir, I learned some Vietnamese, and spoke it while I was there.

QUESTION: And you could interpret during the period you were there? You know exactly what they were saying?

MR. RUSSO: I know a great deal about what they were saying. I think if you a.. you seem to have a great deal of doubt. I.. would.. I would..

QUESTION: Yes I do have doubt sir.

MR. RUSSO: I would recommend that you a.. go and ask the Rand Corporation to show you some of these interviews sir.

QUESTION: Would you be more specific Mr. RUSSO about the facts that you want to tell us.

MR. RUSSO: Yes, I wanted to.. I wanted to a..

QUESTION: Well, I'm talking about real facts sir?

MR. RUSSO: Real facts, yes, yes, real facts.

QUESTION: What are the facts that you want to reveal to the public? The specific facts.

MR. RUSSO: I want to reveal the facts about these..about this testimony, about the interviews that the Rand Corporation has, that they've had for eight years, that they are not releasing.

QUESTION: Mr. RUSSO, in the Ramparts article, you said that there were atrocities mentioned in the interviews, and that's one of the reasons why these studies were not released to the public.

MR. RUSSO: Yes.

QUESTION: What were some of these atrocities?

MR. RUSSO: Well, a.. for example, I..I have some notes here which show how the Koreans behaved in Vietnam. Now this is one of the most, one of the most insidious aspects of the American involvement in Vietnam, is that it pits Asians against Asians really. Now the Koreans, the mercenaries that we have hired to go and fight in Vietnam, have behaved in.. for example in the following manner. Now this is what some of the interviews say. Ah, for example, a refugee said in an interview. A refugee said: "They killed at random, I don't see why the Koreans should kill the children". Another prisoner said that the Koreans, in speaking of what happened in a specific village, he said, "the Koreans killed about 53 persons, including women and children". And he goes on to name the village in the province. He said: "They raped the women in these areas. There were times they killed the women after they raped them." And another refugee said: "Wherever the Korean soldiers went, if they heard gunshots, they would gather all the people in the hamlet, men, women, and children, and kill them all". Now you see this..

QUESTION: What are you reading now? Are these part of your report that you submitted, your findings?

MR. RUSSO: This is word by word quotation from some of the interviews, you see. Now I worked on the interviews and have some notes of my own, you see. But the entire set of testimony amounts to tens of thousands of pages of transcript. And these are the kinds of things that will come out, you see.

QUESTION: TONY, you mentioned atrocities committed by say people like North Koreans and South Koreans, you never mentioned atrocities about North Koreans. You never talk about North Koreans being in Laos, and Cambodia. I mean if you..

MR. RUSSO: North Koreans?

QUESTION: I say North Vietnamese in Laos, Cambodia. Your all the time talking about like North Korean atrocities. What about North Vietnamese atrocities?

MR. RUSSO: I would say that a.. probably people from all sides in this war, have been involved in atrocities.

QUESTION: Then don't you think that everybody fighting in this thing should be condemned?

MR. RUSSO: I think all terrorism, and all the violence should be condemned. But..

QUESTION: Well then why don't you say that TONY?

MR. RUSSO: I just said it sir.

QUESTION: Yeah, but.. at my urging, and my prodding.

MR. RUSSO: Well, I think.. well see.. I think it's a matter of emphasis here. We kill tens of thousands of people, see, with B-52 bombs that explode whole mile square areas, you see.

QUESTION: But not like in Hue' where they killed three thousand, where the North Vietnamese slaughtered, documentation. Rand's got that. You know about it. Everybody did.

MR. RUSSO: We kill thousands in one bombing, sir.

QUESTION: Where?

MR. RUSSO: In Vietnam, in Laos, in Cambodia.

QUESTION: Where? Where? Where?

MR. RUSSO: Throughout.

QUESTION: Where? You say everyday. I understand they can't even see the ground through the leaves. They don't hit population areas.

MR. RUSSO: Between three hundred and four hundred people per day, sir, are hit.

QUESTION: When you took the job at Rand Corporation, were you told that you would be working on secret documents, and did you agree to this?

MR. RUSSO: It's a matter of what's secret, you see. I had no understanding of the way in which things were classified, when I went to the Rand Corporation, no.

QUESTION: Well, what were your requirements for your position?

MR. RUSSO: For my position? The requirements? Well, I interviewed a gentleman who a.. a..

QUESTION: No, I mean you know, did you.. were you.. well what did you think the Rand Corporation was?

MR. RUSSO: What did I think it was?

QUESTION: Uh, huh.

MR. RUSSO: I thought it was a research institution.

QUESTION: What your saying, it turned out to be a public relations agency?

MR. RUSSO: Well, it really is a kind of public relations agency, yes. You see, there are two kinds of public relations that the Government practices. One is a kind of external PR, the kind of thing that they did in 1964 with the Gulf of Tonkin incident, which was manufactured to gain public support, and to get a congressional resolution, which the executive interpreted as a congressional declaration of war. And you see, a.. there's another kind of thing too, and that is the selling of policies

throughout the Government. And this is the kind of thing that the Rand Corporation engages in. They write reports which promote and sell the policies of certain officials throughout the Government. For example, the escalation from the advisor war, between 1961 and 1965, the escalation from that phase of the war to the phase of the war known as the "Limited War Phase", between '66 and the present. That escalation, you see, needed a rationale, and this is the kind of thing that the Rand Corporation provided. For example, I'll..

QUESTION: We were told when we were going to come this morning that you were going to tell secrets that would embarrass the Government. Could you tell us some?

MR. RUSSO: That's what I've been telling you ma'am. I've been discussing this.

QUESTION: Well, patriotism on the part of the North Vietnamese is more or less a valuedism, and even if you have facts to back it up, what sort of specific facts do you have that you could give us this morning?

QUESTION: Besides just opinions, TONY.

QUESTION: Your opinions may or may not be true, but give us some information which can make us believe what you are saying.

MR. RUSSO: Well, I'm giving you information about the..
a about the studies that the Rand Corporation has. I'll
give you this. I'll give you a.. a column that was written
by CARL ROWAN.

QUESTION: Well, we're talking about you, you worked at the
Rand Corporation, you were supposed to reveal facts that you
knew about. Not CARL ROWAN, he didn't work for Rand
Corporation.

MR. RUSSO: Well, ma'am, I want to tell you the fact of the
matter is that the Rand Corporation conducted a study called
the Vietcong Motivation and Morale Study, that was used as a
rationale for escalation. Now that is not known, you see.
And when I refer to CARL ROWAN, if you'll let me finish, the
study which ROWAN refers to in 1966 as.. you see he doesn't
name the study. What I'm doing is naming the study. Can you
understand that? Mr. ROWAN said: "This secret study lies
at the heart of President Johnson's present strategy". And
that was the Vietcong Motivation and Morale Study. That was
the a..

QUESTION: You worked on that?

MR. RUSSO: Yes.

QUESTION: And what were some of the specific facts from that?

MR. RUSSO: The specific facts? The specific facts were that we went to Vietnam. We interviewed on the order of a thousand people, Vietnamese. We have tens of thousands of pages of testimony from these people. It shows the grassroots nature of the war. It shows the specifics of the war at that level. And it's the kind of thing which should be made public. Now that's the thing that I think you.. ladies and gentlemen of the press..

QUESTION: You said you interviewed the North Vietnamese or the South Vietnamese.

MR. RUSSO: North Vietnamese and South Vietnamese both.

QUESTION: The Vietnamese that you are talking about, are they Vietcong?

MR. RUSSO: Yes, they're known as Vietcong, yes.

QUESTION: OK. Now in this same level, what the conclusions that you are coming to are yours, not.. the Government could have seen.. saw it the other way.

MR. RUSSO: Well, I say that the basic data, the testimony of the Vietnamese should be made public so that you don't have to rely on my opinion, you see. So that you could read them yourself. So that scholars could read them. So that scholars could assess these things. Do you understand?

QUESTION: Are you saying the Government would ignore the results of these studies and choose a course that seems totally ridiculous in light of what you have revealed?

MR. RUSSO: I think because it goes against their.. the grain of their vested interest probably.

QUESTION: Are you saying they are withholding papers of the importance of the Pentagon Papers?

MR. RUSSO: Excuse.. Excuse me sir.

QUESTION: How did that study produce the bombing strategy that you talked about earlier?

MR. RUSSO: Well, it showed.. it produced data from which LEON GOURE, the project director, wrote reports which emphasized the relationship between the bombing and falling morale of the Vietcong. For example, as CARL ROWAN says, he says: "It is this study that reportedly has convinced President Johnson that as long as Hanoi refuses peace talks, he has no alternative but to continue the bombing and the military pressure". Now here's the key, the very key part. It says "the hope is that sooner rather than later, the Communist morale will descend past the breaking point". You see the study said that morale, the Vietcong morale, was going down because of the bombing, but this was untrue. The study demonstrated no methodology to support this you see, is my contention. And I think that if the facts are brought out, we'll see that.

QUESTION: Are you saying that the studies were perverted to provide a rationale for escalation?

MR. RUSSO: Yes, I think so. The results of the study were used to provide a rationale for escalation. Whereas, if they were looked at in greater detail, without bias, those interviews would really show who the Vietnamese people are, you see. And that's the crucial thing. In America's eyes, the Vietnamese people have no real identity, you see. They are gooks, or slopes, or terrorists, you know. These are the things we used to refer to them. Whereas, these interviews would show that they really are idealists. They're patriots. They're committed revolutionaries.

QUESTION: Are you saying they're withholding papers of the importance of the Pentagon Papers?

MR. RUSSO: Yes sir, yes sir, yes sir.

QUESTION: In what way?

MR. RUSSO: The Pentagon Papers on the one hand show decision making in Washington. They show how our leaders made policy. The Rand papers, the Rand interviews, the testimony of the Vietnamese shows the grassroots side of the war. It shows the anguish of the war. It shows the guts of the war in detail, you see. This is something the Pentagon Papers don't go into.

QUESTION: Your talking about grassroots. What do you mean? That North Vietnamese are correct, and the South Vietnamese are incorrect?

MR. RUSSO: No, not at all, not at all.

QUESTION: What do you mean by it?

MR. RUSSO: It shows activities in the villages. It shows what goes on. It shows what people feel about the Americans. It shows what they do in their daily life. It shows why they fight against the Americans. It shows why they fought against the American imposed Government to begin with. The American imposed Government of President NGO DIN ZIEM (phonetic) you see, was a CIA creation. It did not fit the situation in Vietnam, and it shows why the Vietnamese rebelled against it, from a personal point of view, you see.

QUESTION: Even if Rand wanted to release these papers, do you really think they could?

MR. RUSSO: Certainly they could. All they have to do is bring them out the door, and give them to you.

QUESTION: So why haven't they done it? What will it take to force them to?

MR. RUSSO: I think the reason why they haven't done it is that these interviews would embarrass and discredit the policies of HENRY KISSINGER and HENRY KISSINGER's close personal friend and colleague FRED IKLE as head of the Social Science Department right here at Rand. And he has administrative jurisdiction over the..this testimony, you see.

QUESTION: Mr. RUSSO, the article on Rand says that you're going to talk about a Crop Defoliation Destruction Project. Can you tell us about that. What have the people been told about it? What do the study's show, that contradicts that if anything?

MR. RUSSO: Well, the studies.. Well the people have been told very little about it. The study that I did assessed the effectiveness of the U.S. Crop Destruction Program in Vietman, you see. And the conclusions of that study were that the Program was highly ineffective. That for every pound of rice that we denied the Vietcong, with that program, we denied civilians, rural peasants one hundred pounds of rice. So the rationale that the Government used was incorrect. The Vietcong were not growing rice in isolated areas to be destroyed, that could be easily destroyed. The Vietcong were getting their rice from the people. And we were destroying rice throughout the rural environment, you see. So it was only hurting the Vietcong to the extent that it was hurting the general economy. These were the results that I came up with. I have the statistics to prove it. And the study was ignored by the authorities. MC NAMARA got the study, read it, and sent it out to General WESTMORELAND, and said: "Why on earth have we

been doing this for six years, when this study shows the program to be ineffective"? Well, General WESTMORELAND didn't bother to answer him really. He simply had one of his men, who is a Rand consultant by the name of DAVID GRIGGS, he simply had one of his men write out a denial of the study, and say that he had flown over the areas in his helicopter, and had seen that it was effective. Which was sheer fabrication, you see. He didn't address the issues of the study. Now the most disappointing thing about this is it seems that General WESTMORELAND had no.. gave no consideration whatsoever to the welfare of the Vietnamese, of the non-combatants.

QUESTION: How do you know all these specific facts..How do you know all these details of this?

MR. RUSSO: Because I traveled throughout the countryside in Vietnam, and because I a.. because I a.. interviewed, because I analysed the statistics, because I did conduct the study, write it up.

QUESTION: And what year was that first study taken? The first thing that you talked about?

MR. RUSSO: That was in a.. The first study? What do you mean?

QUESTION: The Moral Study.

MR. RUSSO: It started in 1964, and continued through 1969. You see, when it first started there were.. It was done by two professors, JOSEPH ZASLOV of Pittsburg University, and JOHN DONNELL of Temple University. They went out there and interviewed for six months. They interviewed prisoners. They came back and they briefed...

QUESTION: Well, I thought you said that you did it?

MR. RUSSO: Well, I worked on it see. Let me correct, if I may. Let me make myself clear. This was a study that involved dozens of people, you see. And I worked on the study as part of the team. Now what.. Let me finish this. What happened is, see these two gentlemen came back, and they had a very realistic view of what was going on in Vietnam. They..

QUESTION: Were they involved with the Rand Corporation?

MR. RUSSO: Yes, they were. They came back and they briefed Assistant Secretary of Defense JOHN T. MC NAUGHTON. And they told him that what was a..that the Vietcong were committed, that they were idealists, that they were patriots, you see. And Assistant Secretary MC NAUGHTON said that "If that's the case, if that's true, then we're fighting on the wrong side." That is a quote. That's a direct quotation from JOHN T. MC NAUGHTON. Now after that, these two professors were sent

back home, and new personnel were sent to Vietnam. LEON GOURÉ was the new project director. And he had quite a different story to tell, you see. He changed the entire direction of the study. The results then came to be that morale was going down, that bombing was having a big effect. He did not emphasize at all the points that ZASLOV and DONNELL had emphasized.

QUESTION: What year was that?

MR. RUSSO: That was in 1964 and 1965.

QUESTION: What was GOURÉ's connection with the Air Force, if any?

MR. RUSSO: GOURÉ's connection with the Air Force?

QUESTION: Yes.

MR. RUSSO: He had worked with them over a long period of years here at the Rand Corporation.

QUESTION: What years again, did you work here at the Rand Corporation?

MR. RUSSO: Between 1964 and 1969.

QUESTION: Will you summarize for me just for a moment the two studies that you're talking about, and just briefly summarize what they are, what they show? These studies that you say should be made available.

MR. RUSSO: First, the Vietcong Motivation and Morale Project contains tens of thousands of pages of testimony from Vietnamese, at the grassroots level in the war in Vietnam. Now from these data, analyses were made at the Rand Corporation, which for the most part were, I think, sheer fabrication. These were the reports done by LEON GOURÉ. These were the reports that provided the rationale for the escalation in 1966. These were the reports that CARL ROWAN refers to. I'll give you a copy of it if you like. These were the reports that CARL ROWAN refers to when he says that they were the secret studies which lay at the heart of President JOHNSON's war policies.

Now what I'm saying is that the interviews..the testimonies should be made public so that scholars, and the American public could see for themselves, the nature of this war. They are the Pentagon Papers at the grassroots level, you see. The Pentagon Papers as we know them are in..at lofty heights of policy making in Washington. These Rand..the Rand testimony, the Rand records of Vietnamese testimony shows the guts of the war.

QUESTION: Weren't those studies commissioned by the Pentagon? Aren't they really owned by the Pentagon, not by Rand Corporation?

MR. RUSSO: I think the point of the matter is that they're owned by the American people. There's nothing in those studies

that could help the enemy. I mean, how could testimony, that is the so called enemy, how could testimony by the so called enemy help him? They are his own words, really.

QUESTION: Would an individual research effort, though, be able to be understood by people here?

MR. RUSSO: Oh yes indeed! Certainly, certainly, certainly. This is one of the things that the social scientists..it's one of the problems with social science is that they engage in a lot of jargon, which is really unnecessary. There's nothing at all in those reports, there's nothing at all in those tens of thousands of pages of testimony by the Vietnamese that could not be understood by the man in the street, you see.

QUESTION: But in that same time, weren't there different points of view coming back from studies in Vietnam?

MR. RUSSO: Well, there were points of view. You see, I maintain that these points of view in support of U.S. policy were based on highly erroneous assumptions. And I think that's what we have to examine at this point.

QUESTION: TONY, in your own words, you say you went there and you had.. I mean in this article, you went there and you already had an opinion, that the Vietcong already were patriots, even though you go on to say you support JFK in here.

MR. RUSSO: Well, see I..

QUESTION: Then you still say that in 1964 you didn't think Rand was, well, a good outfit, and yet.. so you obviously went into this thing in a biased manner. You.. Your saying a..

MR. RUSSO: Well, I say that everybody goes into something with an opinion. I went into it, and for the first six months my.. I suspended my judgement. I have letters from Vietnam to prove it, that I wrote to friends.

QUESTION: What was your purpose for calling the news conference here at Rand this morning?

MR. RUSSO: To call attention to the testimony of the Vietnamese that is held by the Rand Corporation here, that has not been released.

QUESTION: Are you calling for other employees at Rand to do what you and Dr. ELLSBERG did?

MR. RUSSO: I think that the Rand Corporation management should release these studies. If they do not, I think it is up to every individual, and especially the workers at Rand to do what they can to make these studies available to the American people.

QUESTION: The news conference was called today by Ramparts Magazine. What is the connection this morning with Ramparts Magazine, and what do you have to say?

MR. RUSSO: Well Ramparts Magazine is coming out with a.. I think it's on the newstand today, with an issue which has an article by me. It's an autobiographical essay, which goes into a lot of the detail of things which I've talked about this morning.

QUESTION: For a long time we've all known that there are secret documents perhaps of the equivalent of the Pentagon Papers. What are you trying to say today?

MR. RUSSO:• I'm saying that these are complimentary to the Pentagon Papers. That they are just as important, and that they show who the Vietnamese are, you see. This is the most important thing. Who are the Vietnamese? Who are the people that we are killing at the rate of 300 people per day? We're still doing this, you see. Who are the Vietnamese? Who are our victims? The answer to that lies in those files in there, and they should not be classified.

QUESTION: Thank you.

ANTHONY JOSEPH RUSSO, JR.

On March 22, 1972, Richard H. Best, Chief Security Officer, Rand Corporation, identified Leon Gouré as a consultant to the Social Sciences Department, Rand, and presently working at the University of Miami, Coral Gables, Florida; Joseph Zaslov, a consultant to the Social Sciences Department, Rand, and presently working in Pittsburgh, Pennsylvania; John Corwin Donnell, a consultant to the Social Sciences Department, Rand, and presently working in Philadelphia, Pennsylvania, and David Griggs, a consultant to the Physical Sciences Department, Rand, and presently employed at the University of California at Los Angeles, California.

Herewith attached are single copies of a press release handed out by Russo, a Ramparts Magazine press release handed out by an unidentified woman accompanying Russo and an article which is scheduled to appear in the April issue of Ramparts Magazine, authored by Anthony Russo.

We have asked you here today to discuss the way in which the RAND CORPORATION cooperates with the executive branch to keep secret from the American public information that would discredit United States policies in Southeast Asia.

When President Nixon goes before the American people and says he has secret information which is guiding him in his decisions about the war, he is referring to data and analysis provided by government-funded agencies like the RAND CORPORATION. RAND is a Think Tank of so-called scholars and experts who are commissioned by government leaders to do research which is needed for making policy decisions. The research, however, is often kept secret from the public and Congress as well.

The official rationale used to justify such secrecy is that the information would "aid America's enemies." But, as I discovered in the four and one-half years I worked at the RAND CORPORATION, the government has far different reasons for fearing publication of RAND's research:

- 1) RAND keeps secret information that might discredit some of America's public officials and their policies;
- 2) some RAND studies fabricate information in order to justify whatever foreign policy decisions American leaders want to make.

A good case in point is RAND's Vietcong Motivation and Morale Project which if made public would be as revealing as the Pentagon Papers. This project produced the Gouré Bombing Strategy--a rationale which lies at the roots of President Nixon's massive escalation of the air war in Laos, Cambodia and Vietnam.

I worked on the Vietcong Motivation and Morale Project from 1965 until 1968, spending 24 months in Vietnam collecting data through interviews with captured Vietcong, North Vietnamese, and refugees from heavily bombed areas. Tens of thousands of pages of testimony by the Vietnamese were recorded and transcribed, but never released to the public.

There is no way this testimony could help the "enemy", because they are his own thoughts and words. The reason the interviews have not been made public is that,

- 1) they contain embarrassing stories of atrocities and crimes against humanity, and
- 2) they reveal the identity and therefore the humanity of the Vietnamese.

Publication of the interviews would make it much more difficult to depersonalize the Vietnamese as "gooks", "terrorists", and "the enemy"; we could no longer get away with ignoring the civilian body counts (330 per day); and we would have to re-examine basic assumptions and official rationales which led to our involvement in Southeast Asia.

But what is most damning about the secrecy of the VCMM Project is revealed by the following incident:

When the first team of RAND professors who conducted the interviews reported back to John T. McNaughton, Assistant Secretary of Defense for International Security Affairs in 1964, McNaughton responded: "If what you say in that briefing is true, we're fighting on the wrong side." The two professors--Zagloff of Pittsburgh and

University and Donnell of Temple University--had stressed the idealism and commitment of the Vietcong.

But this wasn't the advice the Pentagon wanted, and shortly before I arrived in Saigon, the professors had been sent home. The new project director, Leon Gouré, was very critical of the previous leadership--their studies were ridiculed, their intellectual integrity was impugned and their report was seen as an embarrassment. Gouré then proceeded to twist the "analysis" of the project into a form more palatable to his Pentagon bosses. As a result, the very RAND study which first showed the Vietnamese to be patriots was later used to justify a massive air war designed to bomb Indochina off the map.

Another study I worked on while I was employed by RAND addressed the question of how effective the crop destruction program was as a means of denying food to the Vietcong. I concluded that the program should be discontinued. My study showed that for every one pound of rice that crop destruction denied the Vietcong, it denied one hundred pounds of rice to the rural population. In other words, the study showed that the crop destruction program was effective only in denying food to the civilians, and not in hurting the Vietcong.

My report was forwarded to then Secretary of Defense Robert McNamara who sent it to General Westmoreland asking why such an ineffective program had been going on for 6 years. Westmoreland had one of his advisors, David Griggs of the UCLA physics department and a RAND consultant, ghost write a cable back to McNamara saying he had personally flown over areas where crops had been destroyed, had seen to his satisfaction that the program was effective, and he planned to continue it.

Once again a RAND study had revealed data which conflicted with established official policy and was therefore ignored. What is worse, one cannot escape the conclusion that Westmoreland simply did not care that the main effect of the crop destruction program was to starve the peasants of Vietnam.

These are but two examples of the kinds of studies that RAND has refused to release to the American public--not because they would "aid America's enemies" but because they would embarrass our leaders and discredit their policies in Indochina.

There are many other studies being held in secret by RAND. If these are anything like the ones I was involved in, they are proof positive that the American government systematically lies to us in justifying its foreign policy decisions.

Those who work at RAND should do all in their power to bring out the secret information on the war that is locked away in the files. If RAND's management does not release the studies I have outlined, then those who work at RAND should see their responsibility to the American people and act individually as Dan Ellsberg and I did. For as the Pentagon Papers show, as the Anderson Papers show and as the Secret ITT memos make clear, until the American people and the press can have reasonable access to government information, and can hold individuals in the government accountable for their acts, tragedies like Vietnam and corruption like the ITT dealings will continue.

When the Pentagon Papers were released, they not only embarrassed a number of heretofore respected public officials, they showed that our leaders consider the opinions of the American people and the principles of our democracy as obstacles to be surmounted; as far as they are concerned the less Americans know the better. If Americans could read the RAND interviews they would see what the Pentagon Papers leaves out: testimony from the Vietnamese people waging a Revolutionary struggle at the grass roots level much the same as American patriots fought the British during our Revolutionary war. History will unveil these truths. The sooner we learn our lesson the better, our survival depends on it.

Inside the RAID Corporation and Out: My Story

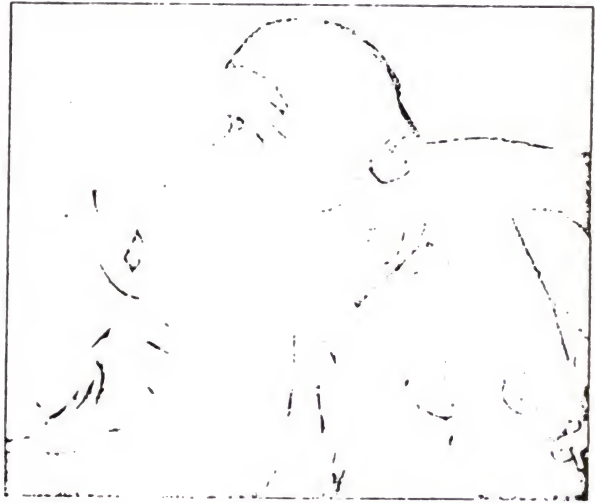
by Anthony Russo

XEROX

11/1/81

"The RAND Vietcong Motivation and Morale Project ... had built up a team which had interviewed over 100 prisoners and defectors from the Vietcong, which resulted in a report characterizing the Vietcong as idealistic people whose cadre often had a monkish quality of dedication. When these gentlemen came back to brief John T. Naughton, Assistant Secretary of Defense for Internal Security Affairs (Daniel Ellsberg was at that briefing), he responded: 'If what you say in that briefing is true, we're fighting on the wrong side.'"

"But this wasn't the advice the Pentagon wanted, and shortly before I arrived the professors had been sent home to the U.S. The new project director was very critical of the previous leadership—their studies were ridiculed, their intellectual integrity was impugned, and their report was seen as an embarrassment, something more than RAND had bargained for."



(Anthony Russo is a retired defense intellectual, formerly employed by the RAND Corporation. He and co-defendant Daniel Ellsberg together are facing a possible sentence of 150 years in prison on charges arising from the "leak" of the Pentagon Papers.--The Editors)

[1]

I grow up in a small Southern town and prepare for an imperial manhood amidst the rubble of slavery and the ruins of a colonial past; I become a helper at NASA and witness the death of Buck Rogers dreams. I seek greener pastures.

GROWING UP IN THE SOUTH CAN BE both an alienating and humanizing experience. You grow up strong on soul food, even if you are stigmatized with the original sin of white racism. I was a walking contradiction, a half-breed Italian loose amongst

a swarm of plantation WASPS. I only saw black people from a distance--the third world didn't run through my kitchen like it did for people who had maids and cooks.

My first memories of Suffolk, Virginia are WASP memories: segregated schools and the Lord's Prayer. Weekend picnics to the homes of Thomas Jefferson and Patrick Henry, and daily walks in the Dismal Swamp where Washington skirmished with the British, gave me a sense of the roots of American history. But later Mickey Mantle and Frank Leahy eased out Washington and Jefferson. I suppose in retrospect that the *Encyclopaedia Britannica* my dad bought me when I was nine probably saved me from the brain-numbing effects of false hero worship; the walks with my dad in the fields where the Nansemond Indians were destroyed and the dalliance with colonial patriots prepared me for later meetings with the patriotic Vietnamese.

up absurd. My father had a respectable all town company job; I always got gold stars in school. In high school I played football in the Southern machismo tradition, and at college I was president of my apolitical fraternity.

If my native white racism was equivocated, it was because of rhythm and blues and jazz. Shirley and Lee, Fats Domino, Dizzy Gillespie and Duke Ellington, were all cascading down around my ears when Dien Bien Phu was just three years off and my high school history teacher was complaining in class that Brown vs. Board of Education meant that "next year they'll be over here with us."

I worked at the golf course, learned to play, and made two black friends—Charley Wilson and Charley Garry—who worked there too. They taught me all about wine (they bought it for me as I was under age), women (what they liked), and song (they knew when and where the Fats Domino concerts were). Meanwhile my history teacher was scowling in class, complaining about having to sit with black people who everybody knew smelled funky. It was at this time that it occurred to me that history is likely to be far more interested in the birthplace of Fats Domino than about that of any of Virginia's politicians.

When I left high school in 1955 I headed off to college at Virginia Polytechnic Institute. The idea was that college was supposed to lead to a good job. So, like legions of others, I went into engineering. At first it was industrial engineering, and then I switched into the aeronautical engineering program, partly because I'd loved making model airplanes when I was a kid. I soon became a member of the cooperative engineering program, alternating quarters between work and school until I graduated. My work was spent at the NASA Langley Space Laboratory in Hampton, Virginia, which became the eye of the hurricane when Sputnik was shot up, sending shivers of fear and envy up the American spine.

One thing that had loomed large in my mind when I decided to go to work at the Langley Lab was the fact that I could get a deferment from the draft. The draft had been a big issue then, although for less dramatic reasons than now. It was an interruption—a necessary one, since we were all patriots—of one's upward social movement into the middle-class certitude of jobs, family, possessions. It should be as painless as possible, so in school we were told to join the ROTC because then we could become officers, which everyone knew was better than being an enlisted man. College life became much freer when I was able to quit ROTC after my first year to become what is known as a "civilian student." Not understanding my alienation, I put my head down and plowed ahead with my work, learned a lot about space, and then went to work full-time for NASA after graduation in 1960. I worked on various problems, and even published a paper on the physics of electromagnetic waves in ionized gas. But by 1962, when John Kennedy set the goal of going to the moon in ten years, I was thoroughly disillusioned with what NASA was doing. It was clearly a front for military research, so I didn't think much of it. The Buck Rogers dreams I'd had as a 19-year-old had been undone, and I decided that I was going to seek my fortune elsewhere.



[II]

I journey to cosmopolitan Princeton, study theory—and learn to love JFK. The world is a peculiar place and I decide it needs changing. I take on the liberal tone of my surroundings and become a fledgling defense intellectual. I envision boring from within, and wind up in the belly of the whale.

I KNEW THAT I HAD TO MOVE ON, but at the same time keep my draft flank covered. The best way to take care of both problems seemed to be graduate school. So I applied to Princeton University and was awarded a fellowship in Plasma Physics.

In 1961 I left the woods and drove up to New Jersey. I had been enthusiastically for Kennedy in 1960—he seemed at the time a spot of sanity in the political atmosphere—but I didn't consider myself very political. I spent the first couple of years there trying to rid myself of a persistent Virginia accent and to accumulate enough class not to be seen as poor white trash. I was suddenly thrown in with Northern liberals who were capable of great harshness on the subject of racism in the South.

Being a child of the '50s, I had always been quite concerned with The Bomb. Eisenhower seemed to me quite capable of dozing off, falling out of his chair, and accidentally elbowing the button. By 1961 I was even more concerned about technological warfare and doubted the utility of proceeding in science when I felt the world was overstocked with it. So I dropped out of engineering with a master's degree and enrolled in the Woodrow Wilson School of Public and International Affairs.

During my last year in the Woodrow Wilson school, the year that JFK was assassinated, I worked with a professor named Oskar Morgenstern, one of the co-founders, along with the great mathematician John von Neumann, of the theory of games. I had heard the phrase "game-theory" tossed around a lot in discussions of the new techniques for planning and carrying out national defense. It was chic.

game theory were being applied to planning for defense needs and for possible forms the future might take. As it turned out, the theory is a very abstract set of mathematical techniques, without much in the way of practical application. It can only be applied to a small fraction of simple conflict situations: those where the objective of the conflict between two parties can be put on a graph, or measured in quantifiable terms. There was a second kind of gaming with which this got mixed up. It took place, we knew, at the government think-tanks. It was more a kind of scenario building or script writing for possible wars, usually total war. This had nothing to do with the pure game theory I had been doing; it was simply a group of people sitting around playing games with one another with maps, or by shaking dice to decide who had won or what the outcome of a particular move would be. In the course of this improvised theater of death, there would be occasionally interesting insights into the dynamics of nuclear encounter.

Princeton has a conference every year on a subject of public importance. In 1963-64 it was organized by Professor Morgenstern, with me helping, on the economic aspects of the space program—how does it tangibly effect people's lives, and how can we measure the benefits? Well, as it turned out, the "experts" we invited had thought more about prestige or fame and glory than about these questions. Not surprisingly, the conference yielded very little. Some of the best thinkers in the field came, but all they did was avoid any questions they hadn't already answered and, instead, stuck to the usual comfortable platitudes: "If the money weren't spent on space, it probably wouldn't be spent at all." If all this empty rhetoric didn't make me a radical, I did realize even more clearly than before that the space program was simply a front for research on intercontinental ballistic missiles, and for finding new kinds of technology for weapons development.

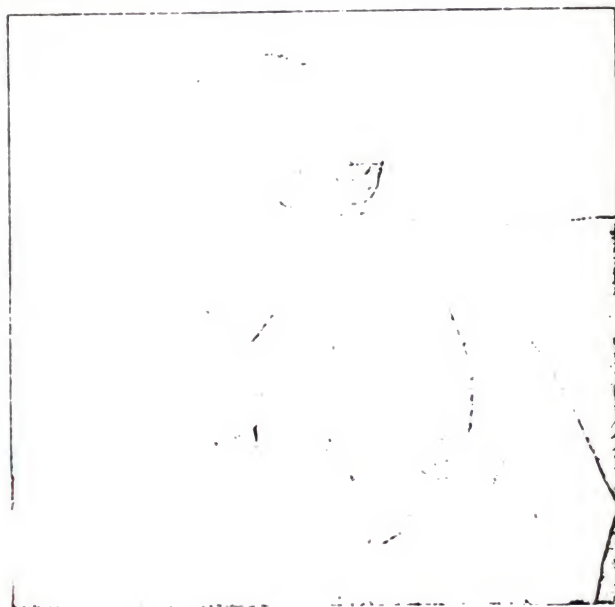
About the time that the space conference was over, in the spring of 1964, I again faced the eternal question of what to do with my life. I was scheduled to finish the Woodrow Wilson school in June and wasn't sure what lay ahead. One of my ideas had been to go to work for the RAND Corporation. In retrospect it seems like a peculiar ambition. But at the time it appeared the logical outgrowth of the direction I'd been wandering toward. This was the early '60s, when the civil rights movement was at its peak. The march on Washington had just occurred; Malcolm X had just begun to be noticed on a nationwide scale, and there was a lot of talk about the Black Muslims; we were already in Vietnam, but that didn't seem critical. I was as much caught up in the notion of "getting involved" and changing things for the better as anyone else. What was attractive about RAND was mainly the myth that it was there that strategic decisions were studied. I had been terrified by The Bomb when I was a kid, and I felt I could bring sanity to the area of defense planning. After all, hadn't my idol, JFK, imported bright young men like myself into high circles of Washington?

Going to work at RAND was more than an idle masturbatory fantasy. I had talked to a couple of "RANDsmen" who had come to speak at the Princeton space conference. One

the economic cost of the space program. His message was that of an accountant: he projected the cost of the space program throughout five-year segments into the future. I didn't find this very interesting, but I did talk to Mr. Novick about his department and he expressed an interest in me as a potential RAND employee.

Meanwhile, Professor Morgenstern had been pleased with my work and ideas and suggested that I stay on and write my Ph.D. thesis in economics under him. Of course this meant that I would have faced two to three more years at Princeton, moving over to the economics department and doing the library-full of reading that would enable me to pass the exams and do a dissertation. This was appealing; I liked the notion of being Dr. Russo. But this alternative clashed with my fundamental hope of becoming active in the world, a doer rather than just a thinker. Even though Vietnam was still only simmering as a social issue—on the back burner behind the civil rights movement—I wanted badly to go there. And I had given a great deal of thought to that. There were several ways to do it: I could go on to work for the government; I could join the military; I could perhaps become a journalist. I had met some French students at Princeton who had gotten me interested in Indochina. I'd read everything I could get on the war there, as well as everything there was on the New Frontier defense strategy of counter-insurgency.

When RAND offered the job in a terse take-it-or-not telegram, I decided to accept. In retrospect I think I felt that I could be a kind of anthropologist observing the natives in the village of the Pentagon. And, of course, the RAND Corporation was where the action was, covering all bases from the thermonuclear aspect of things to research in Vietnam. I had the naive notion that, if reason could be brought to bear in a process that looked deeply questionable to me, then perhaps some good could be done. I was caught up in the myth of working from within. Professor Richard Falk was less sanguine about this whole affair than I was. My friends were similarly skeptical. I was alone in thinking the belly of the whale might be an interesting place to work.



The belly of the whale turns out to be decorated in Holiday Inn Modern. I wander around in long corridors for several months, making a few friends and influencing nobody. I enhance my skills by reading from RAND's top secret files. I find out about a classified study called the Vietcong Motivation and Morale Project. I practice corridor politics and by a stroke of luck, I go to Saigon to interview the other side's POW-MIAs.

I FLEW TO CALIFORNIA AND BEGAN WORK in June 1964. The RAND Corporation building is across the street from the beach front in Santa Monica. I was immediately surprised by the strange familiarity of the place. Then I realized that the area had been used as a locale for hundreds of grade "B" movies and TV serials. A Hollywood stunt man runs an "in" bar next to RAND on Ocean Avenue; movie stars get their divorces across the street; academy award extravaganza's used to be produced right across the parking lot at the Santa Monica Civic Auditorium. Mary Pickford's old beach house sits across the street and the ghost of Lawrence Welk, one of the wealthiest landlords in town, has moved up the street from the Aragon Ballroom where the bubble machine first operated. It is fitting that RAND should be in Santa Monica: a high camp relic of the space age in a field of low camp plastic flowers.

The RAND building is square with several criss-cross corridors that make patios where RANDsmen play ping pong at lunch. Surveillance from the roof and top floor is close; anyone taking a shortcut across the parking lot is watched by a guard through binoculars.

But the apparent laxity in security inside is enough to keep you off balance. How could such a serene building house a super-agency which in many ways is more important than the CIA? The answer is that for years RAND remained outside the public consciousness although physically right under the nose of sidewalk traffic by the beach.

When I first reported for work, I saw that the casual facade was just that, a facade. In each of the three lobbies there were impassive private cops packing guns, acting as receptionists and logging every person who entered or left. In order to get to the inner sanctum, you had to sign a log and clip on a red plastic numbered badge with a paper name tag slipped into it. The halls were lined with cubicle sized offices and gave off sterile dullness of a government building. Professionals were seen passing back and forth, usually expressionless, even avoiding eye contact.

I reported to David Novick, chief of my department and the man who had hired me. He was a gruff old character who puffed on a cigar and generated a strong authoritarian air. He used a lot of the new defense jargon like "five-year projections," "cost benefit analyses," "pro-

gram budgeting," etc. Novick was an old hand who had been around in Washington and was known as a practical and hard headed economist. I mentioned my interest in Vietnam a couple of times during the first couple of weeks I was there, but he gave me no encouragement. Most of the RAND projects on Vietnam were in other departments — Social Science, Logistics, and Engineering— and he said up front that wanting to go to Vietnam was no way to get ahead in his department. He appealed to my ego, though, by saying that the department was sorely in need of the kind of intellectual upgrading I would bring to bear. He needed cost estimates of weapons systems for the Air Force, and the statistical methodology used for delivering these estimates needed refinement, so that's what I set off to do. But I also set about reading everything I could get my hands on in the general RAND files. These files now, for example, contain a study RAND made of the Kennedy assassination: Project Star. It's a particularly special study—its classification is higher than top secret. Only a handful of RAND people know of its existence. RAND files also held studies of the U.S. negotiating posture in the Indochina War, such being the specialty of the head of the Rand social science department, Fred Illé, a former MIT professor and close personal friend of Henry Kissinger.

I found the place much duller than the popular myth imagines. I was disappointed in the lack of dialogue. I had expected to find at least some intellectual stimulation, but there was none.

But things began to perk up after a few months when, in poking more into things around the building, I found out about the "Vietcong Motivation and Morale Project" that to this day hasn't been made public. RAND had contracted to do the study for the Department of Defense (for one-half million dollars a year) with data coming from interviews conducted in Vietnamese with captured members of the National Liberation Front and North Vietnamese "infiltrators." A RAND team was to be formed and sent to Vietnam. RAND had been interested in the project for years. Guy Pauker, an Indonesian area specialist, had first proposed it early in the Diem reign, but Ngo Dinh Diem himself had been adamant about never allowing any Americans to talk to prisoners. After the 1963 coup, however, the way was open. The study was to provide ideas for the Department of Defense's psychological warfare program in Vietnam and generally upgrade understanding of just what the National Liberation Front was all about.

I was ecstatic about the remote chance I had of getting a spot on the project. Not only would it provide a means to get to Vietnam, but it would also provide a way to actually talk with the phantoms who were defying American might. From what I had heard from radical colleagues at Princeton and what I'd been able to piece together from Bernard Fall's books, and reading between the lines in the newspapers, I felt that the Vietcong were probably patriots. This situation didn't fit JFK's analysis of a counter-insurgency threat at all — an analysis which pictured wars of national liberation as ploys of the communist super-powers who were resorting to low-key aggression in small third world countries to avoid nuclear encounters. I couldn't see Vietnam as a pawn of Russia or China. I had studied foreign policy under three heavies at Princeton: Richard Falk,

George Kennan and Klaus Knorr. I thought I understood. But my views were at such odds with official policy and with the "experts" at RAND that I thought maybe there were some important secrets of which I wasn't aware or some intricate concepts that maybe only an insider could grasp. I was not yet the rebel, because I was ready to give conventional wisdom the benefit of the doubt. In fact I leaned over backward to do it. I wanted to be wrong. JFK who had been my hero, had supported involvement in Vietnam. I wanted him to be right.

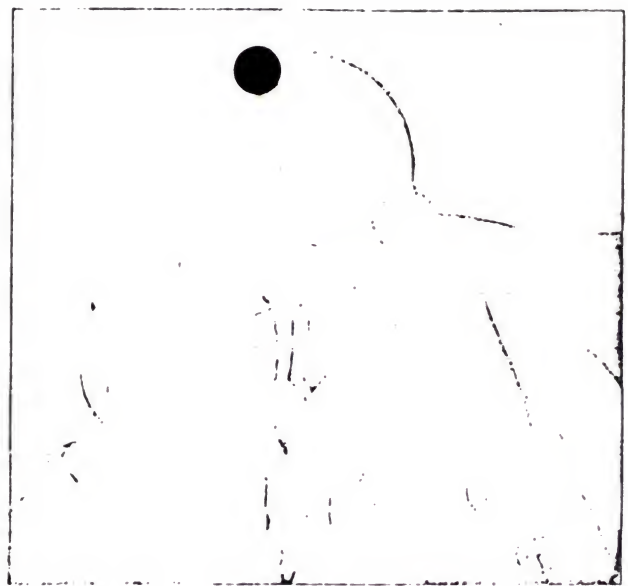
By the fall of 1964 I had a good idea of what RAND was all about. Throughout that period I talked to people about getting on board the Vietcong Motivation and Morale Project, including the old timers who were in positions of authority. They checked me out pretty thoroughly.

At this time, I had been there close to six months, long enough to see that the mystique was deceptively false. RAND had been compared to the Institute for Advanced Study at Princeton -- I certainly didn't think it measured up to that. RAND had been called a university without students. A community of scholars in which secrets are kept from one another is virtually a contradiction in terms. But before this really got me down, I learned I'd been chosen to go to Vietnam.

In February 1965, I flew directly from Los Angeles to Saigon with a senior RAND member who, with an air of authority, pointed out several men from the "agency" (CIA) along the way. I remember when we first approached the seacoast of Vietnam. I looked down from the airplane expecting to see fighting going on, but it all looked very quiet. The soil looked red. Low-flying clouds spotted the lush landscape. The airplane landed at Tan Son Nhut airport in Saigon, and we were met by members of the RAND staff in Saigon, and then processed through customs. We rode into town and checked into a hotel near the Presidential palace which was right around the corner from the RAND Corporation Villa.

The Vietcong Motivation and Morale Project had been going for about six months. Initially it was run by two Vietnam scholars with contacts in Saigon who were working for RAND as consultants. They had built up a team which had interviewed over 100 prisoners and defectors from the Vietcong, which resulted in a report characterizing the Vietcong as idealistic people whose cadre often had a monkish quality of dedication. When these gentlemen came back to brief John T. McNaughton, Assistant Secretary of Defense for International Security Affairs (he's featured in the Pentagon Papers), he responded: "If what you say in that briefing is true, we're fighting on the wrong side." (Daniel Ellsberg was at that briefing.)

But this wasn't the advice the Pentagon wanted, and shortly before I arrived the professors had been sent home to the U.S. The new project director was very critical of the previous leadership--their studies were ridiculed, their intellectual integrity was impugned, and their report was seen as an embarrassment, something more than RAND had bargained for. Leon Gouré, the new leader, was an absolute hawk on the war, hardly a value-free scholar. As time would show, Gouré would interpret the interviews with prisoners in ways that would make the U.S. Air Force look good or suggest that it be given more responsibility.



[IV]

I learn about Charlie and his communism. I see the American war machinery grinding its way through the Vietnamese countryside. I see things that I wasn't prepared for and that I don't like. I get a new view of the war and of RAND.

MY CHIEF RESPONSIBILITY on the project was to supervise three to four Vietnamese interviewers. With the rank of Army Captain, I negotiated with Vietnamese officials through the American military in order to set up interviews with prisoners. The prisons were all over Vietnam. We interviewed both in Saigon and in the provinces, asking the Vietnamese prisoners detailed questions about their family, their livelihood, and their attitude toward the war.

The Vietcong were not as I had supposed them to be. They had a courageous dedication and assured us they would fight to their last drop of blood to kick the American imperialists out of their country. Vietnamese villagers would refer to them as "the Liberation Gentlemen who speak with honeyed tongue." I was very surprised at their openness. I began to see that what motivated them above all was the profound desire to live in peace and to keep their Vietnamese culture free from foreign control.

I think one of the first jarring experiences I had was about two months after I arrived in Vietnam. Through an interpreter I interviewed a man who had been with the movement since before 1954. He was an agit-prop cadre who conducted traveling theater groups through villages in the rural sector very near Saigon. The groups would sing, put on plays, encourage people to resist. He didn't like me at all the first morning of the interview, but after we talked for two full days, he recited poetry and sang a song for me. I will never forget one of the lines of the song. "Our hatred for the Americans is as high as the sky." I didn't feel he hated me, and I certainly didn't hate him. He imparted to me the intense commitment of the NLF.

In retrospect, I think the main feature of the project

the event in which the interviewers present the 1967 identity in official American eyes. The interviews were typed in multiple copies and circulated throughout a number of American military and civilian agencies. They were very popular with Americans; here, for the first time, was the mysterious guerrilla who had heretofore been an enigma speaking to the reader from a printed page. The entire body of data consists of over 600 interviews.

Five years ago RAND said the interviews would be made public, but the 40,000 pages have still not been released. There is no way the study could help the "enemy" because the interviews are, themselves, testimony by the "enemy." Then why are they not made public? Well, for two reasons: (1) the interviews contain embarrassing stories of atrocities and crimes against humanity; and (2) they reveal the identity and therefore the humanity of the Vietnamese. Publication of the interviews would make it much more difficult to depersonalize the Vietnamese as "gooks," "slopes," and "terrorists"; we could no longer get away with ignoring the civilian body counts (330 per day); and we would have to re-examine all our imperial notions about "helping" the poor peasant countries of the third world.

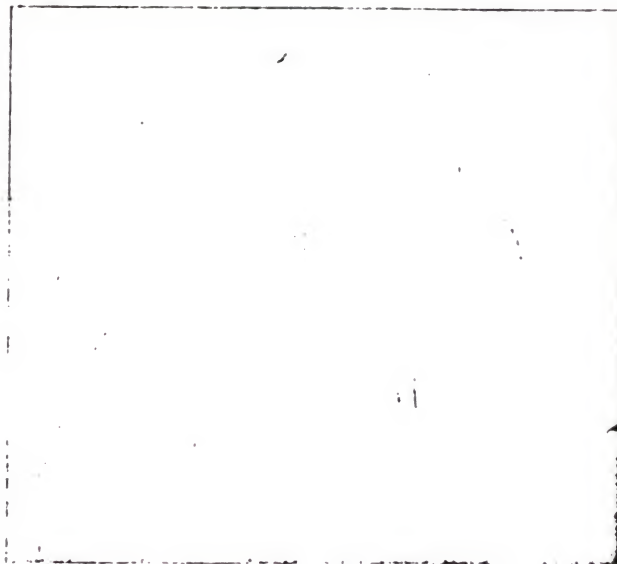
As time went on, I became more aware of the outrageous kind of whoring that RAND was engaged in. Regardless of what came out in the interviews, Gouré, the project leader, could always find something to support his bias. He said that American air power, which had been beefed up considerably since February 1965 when the U.S. first began to bomb North Vietnam regularly, was tremendously effective in weakening the Front; and for this, of course, the Air Force loved him. He said that the Vietcong were losing and that their morale was crumbling. Gouré quickly became the hottest thing on the American briefing circuit, earning himself trips all the way back to Washington.

In the summer of 1965 the issue of refugees came up. The principal question was, "Did refugees help or hurt us; did they help or hurt the Vietcong?" Gouré concluded that "the generation of refugees," as the process was later to be called, helped the U.S. effort because refugees leaving the Vietcong took strategic support away with them. This position later became policy with the U.S. Army. They intentionally "generated" refugees. It was said that bombing, defoliation, crop destruction were used with this end result in mind. In some cases, helicopters and trucks would go into areas and load people up and take them out. The areas could then be submitted to saturation bombing.

In June 1965 I was sitting with Gouré in an Air Force office out at Tan Son Nhut air base. We were talking to Air Force people when word came in that the use of B-52s had been OK'd. I couldn't believe it—it seemed totally senseless. When I asked myself what role RAND had played in all this, I had to admit it was sizeable. Just how senseless was driven home to me a month later when I went to a little province town just north of Saigon to interview refugees who had come in from the forest which had been bombed. A little old man sat in a chair clutching a leaflet illustrated with B-52s dropping bombs. The leaflet announced that the area would be bombed on July 17 because enemy troops were there, and that arrangements for refuge should be made before that time. One day prior to schedule, the old man said, the bombs came. He was one

of the few survivors. He was very sad. He was shaken, shocked and trembling.

When I compared the National Liberation Front, with its vitality and its will for freedom, with the spiritless Vietnamese who were fighting for us, it was clear that the ARVN were very much the niggers, the slaves, the mercenaries, American bombing, sweep and destroy missions, chemical spray programs, anti-personnel weapons, napalm: this institutional and technological terrorism is millions of times worse than anything at the disposal of the NLF.



[v]

I meet one of General Lansdale's right-hand men in Saigon reading a Lartéguy novel. I run into him again on Lavender Hill. I conduct my own Vietnam studies and get sacked for my pains.

IT WAS AT THIS TIME that I first met Daniel Ellsberg at the RAND villa at 176 rue Pasteur, Saigon. I was alone in the office that afternoon when he knocked at the door. We introduced ourselves; I invited him in and we began to chat. He had just arrived and wanted me to tell him of my six months' experience in Vietnam. At the time Dan was an employee of the State Department serving as a member of General Ed Lansdale's team.

We talked for about an hour. He was intense, curious, and impressed me as being rather bright. He took a lot of notes as we talked; I remember having the feeling I was being interviewed.

Over the course of the next year we bumped into each other a half dozen times at the RAND villa and various other places around Saigon. I remember him reading a Lartéguy novel; he was getting into the esoterica of Vietnam. He impressed me as someone who was highly critical of the mechanics of U.S. policy although accepting its overall design. At the time, he seemed to have faith that our government would eventually find the right way to fight the war.

Just before leaving Vietnam in fall of 1966, I read a

Missions Study." It had been done by a special task force and Dan had done the major portion of the work on the study. It was highly critical of the U.S. effort, recommended many changes, including the cancellation of programs and the disbanding of certain military units. In essence, the report was an indictment of General Westmoreland. It was circulated "unofficially" through a number of American agencies and generally received enthusiastic approval. Westmoreland, it was said, hit the ceiling.

(It was later, back at RAND in 1968, that we became close friends. I had just returned from a depressing six months in Saigon; Dan had come out from Washington. Our offices were right across the hall from each other. By this time, our positions on Vietnam were similar, although arrived at through quite different avenues. We had both worked from the assumption that policy could be changed from within, but neither of us had achieved success. We spent a lot of time sharing our experiences. In Vietnam I had worked at the grassroots level, while Dan had been at the policy-making level. To me he represented the Establishment; I was overjoyed at finding someone in his position to be against the war. At first our contact was mostly in the office. After several weeks we began having dinner together. Gradually we became close on a personal as well as professional level.)

During the 18 months of my first trip to Vietnam I visited various other parts of Southeast Asia. The more I grew to admire Asian culture—especially Vietnamese—the more I was outraged at the Orwellian horror of the U.S. military machine grinding through Vietnam and destroying everything in its path. Tens of thousands of Vietnamese girls were turned into prostitutes; streets that had been lined with beautiful trees were denuded to make room for the big military trucks and Saigon had a smog problem. From time to time there would be "accidents" when the U.S. army trucks defending Saigon would run over Vietnamese, killing them. I was fed up with the horror and disgusted by the petulance and pettiness with which the RAND Corporation conducted its business.

When I came back to the U.S. in September 1966, I experienced a deeper depression. People at RAND seemed unbelievably naive when they talked about the war. And the contrast between the death and destruction I saw over there and the naively carefree attitude at home was startling. But I stayed in Santa Monica at the RAND office for a year, still trying to make a difference. First I wrote a critical evaluation of the project in Vietnam; then I worked on a problem that had come up as a result of work that had been done at RAND on the relationship between pockets of resistance in Vietnam and socio-economic factors. I also wrote a study of the crop destruction program in Vietnam that was being conducted by the Americans, making no attempt to hide the way I felt about the war.

While I had been in Vietnam, a piece of work had been done at RAND by F. J. Mitchell which purported to show that in areas of Vietnam where the land was equally distributed, Vietcong support was much higher, and where the distribution of land was less equalized, there was more support for the government. It was a statistical study, using sophisticated methods of econometrics, and its upshot was

likely he was to support the government. This would have been almost laughable except that it was taken seriously. While in Vietnam, I thought everyone knew that Vietcong support was stronger in poorer areas of the countryside. But, because the results of Mitchell's study were so novel, it gained a great deal of attention both at RAND and in Washington. I set out to try to disprove Mitchell's hypothesis, and had just gotten underway with my work when a request came to me from the new director of the Vietcong Motivation and Morale Project to return to Saigon.

My first task was to wrap up a study of a crop destruction which RAND had promised the Advanced Research Projects Agency (ARPA) a year earlier. I was to address the question of how effective the crop destruction program was as a means of denying food to the Vietcong. After four months of research and evaluation, I concluded that the program should be discontinued. By developing a statistical model of the relationship between Vietcong food supplies and the economy at large, I could show that for every pound of rice that was denied the Vietcong through crop destruction, one hundred pounds of rice was denied the rural population. Written in careful "systemspeak" (Cost/benefit), the study showed that the crop destruction program was simply denying food to the civilians, and was empirically "ineffective" as a way to hurt the Vietcong. It was published by RAND and distributed to Secretary McNamara's office. Later I heard that McNamara had read the report and sent it to General Westmoreland with a query as to why such an ineffective program had been going on for so long. At that point the crop destruction program had been in effect for six years.

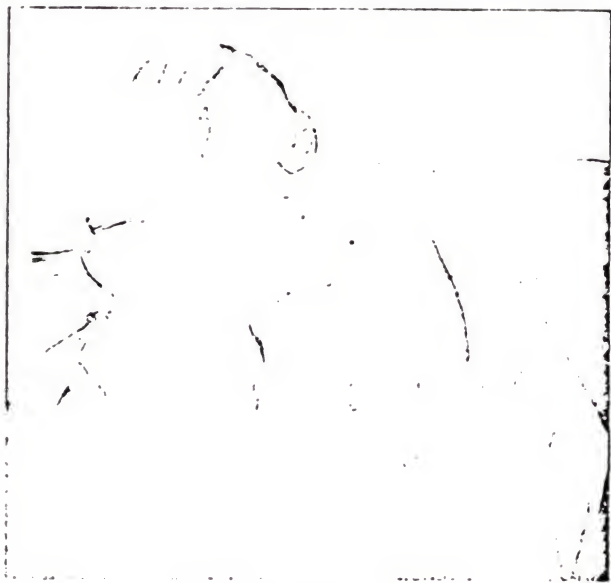
When I got back to Saigon, no one would talk to me about the report. I wanted to brief the military and civilian officials, but the ARPA field office was reluctant to set up briefings. As the weeks wore on, I became impatient. I told the Saigon ARPA people that if they didn't set up a briefing soon I would go back to Washington and explain that no one in Saigon was willing to hear the study briefed. At this the ARPA people arranged for a briefing to be presented to a man named David Griggs, a geophysicist on the faculty of the physics department at UCLA and a consultant to the RAND Corporation. At that time Griggs was working in Saigon as a scientific advisor to General Westmoreland. He told me that after looking at my report he had written a telegram to Secretary McNamara, which went out over Westmoreland's signature, saying that Westmoreland had personally inspected areas that had been sprayed with chemicals and had "witnessed the effectiveness" of the crop spray program. Griggs ended by stating that General Westmoreland was well pleased with the conduct and effectiveness of the program, and planned to continue it as in the past. I asked him to please explain why he disagreed with me; he simply looked at his watch, said he was busy, and had to leave. The entire meeting lasted no longer than fifteen minutes.

During my second stay in Vietnam, I resumed my work on the answer to the Mitchell study. I collected economic data on the rural population, gathering such items as per capita income, average size of landholdings, and the fertility of the rice fields. I also examined data on the extent

to which various geographical areas were controlled by the contending parties. I found, contrary to the Mitchell hypothesis, that poor areas were more likely to support the Vietcong. In fact, the correlation between support for the Vietcong and socio-economic factors was almost 100 percent. This evidence confirmed my views that the war was a conflict in which military power was of much less importance than the socio-political struggle.

I took these findings back to RAND early in 1968, where they were poorly received, to say the least. Charlie Wolf, my boss and head of the economics department, was not enthusiastic. Wolf had supported Mitchell's findings, which implied that it was the people of lower income who backed the puppet government, and he took great pride in arguing that increases in social welfare would tend to create greater problems. But I held to my views, and was not surprised when in May 1968 Charlie Wolf fired me, citing the usual bureaucratic rationale: "budgetary problems."

Wolf had been my administrative boss, but I had virtually no contact with him. My immediate boss had praised my work highly and had even, at one point, said that he should be working for me. I had thought my work to be top notch; more than a handful of people had complimented it in quite flattering ways; the same people had picked my brains in designing and pursuing their own studies. When I was fired, they all expressed shock to me personally, but only Dan Ellsberg went to the boss and protested. Dan was the only RAND professional who refused to behave like an inmate.



[VI]

I do some thinking of my own about RAND. I visit the old place and find out that nothing has changed.

AFTER HAVING BEEN FIRED FROM RAND, I entered a long reflective period. The '60s had been an entire historical epoch, telescoped into ten years. The '60s saw the biggest expansion of capitalism history has ever known. The '60s saw men obsessed with abstractions take over the Defense Department. Herman

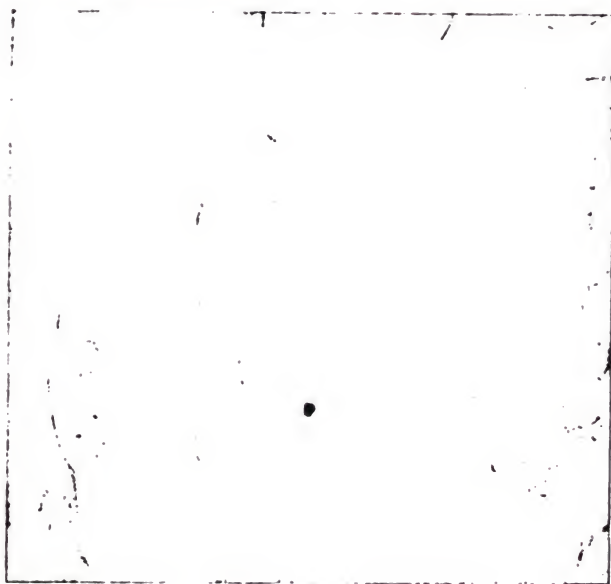
Kahn called the study of thermonuclear warfare "thinking about the unthinkable." We were supposed to get ready for Armageddon so that we could plan it away. We could avoid it only if we analyzed and understood it. In analyzing it, we became obsessed with it. As we backed away from this terrifying abstraction, we took refuge in the myth of counter-insurgency. The combination in the '60s of the greatest capitalist expansion history has known walking backwards into the myth of counter-insurgency created whole new careers for men like Charlie Wolf, a counter-revolutionary economist. His discipline is counter-insurgency.

Reflecting on these things, I began to put everything together. There is a right side and there is a wrong side in this great debate about the war in Indochina. On one side of the debate are men like Charles Wolf and Henry Kissinger, the Rasputin of the American Empire. Both are men preoccupied with abstractions. Both men have closed eyes, both men have linear minds which are paralyzed by paradox. Neither can recognize the difference between the inscrutability of fact and the inscrutability of reference. Henry Kissinger, in his application of the elitist defense intellectual theories of counter-insurgency, has decided that in order to have the freedom to exercise his theory one must also have the freedom to be dictator of foreign policy. In his mind foreign policy is beyond the ken of domestic popular opinion. Two million people have died to prove him wrong, and he doesn't recognize it yet.

When I left RAND, and quit the Establishment, I did so as a working member of the Establishment who had witnessed elaborately synthesized lies, mathematically formulated lies, perpetuated by people who are the first victims of their own deception. I had worked within the system almost continuously for 13 years, from the day that I began in the space program in 1956 at the Langley Laboratory in Hampton, Virginia to the day I left RAND—six months after Charlie Wolf fired me—January 3, 1969.

I wasn't sorry to leave. I hadn't been happy there. Recently I was reminded of this when I ran into two former colleagues at Chez Jay's, a restaurant next door to RAND, where half a dozen or more RANDsmen can be found any day of the week. It was crowded, so the waitress asked if we'd mind sharing a four-place table with two other people. Almost before we nodded approval, she dashed off to set it up. She placed a red-colored, woven screen on a table for four to separate us from the other two who were already eating. It's a good thing she did so; it probably saved the security clearances of two old RAND colleagues of mine, who, by chance, were sitting at the table as we stepped up to take our seats. I sat down and greeted them as they stifled gasps and managed to return the greetings weakly over the red screen, which by then had become a concrete metaphor for our different positions. It was more than a screen or even the Pentagon Papers which was between us. We both knew we had chosen different sides. I felt comfortable, but they seemed to squirm; both are fiftyish liberals, who oppose U.S. involvement in Indochina. One is an economist; the other an expert in propaganda analysis. Both have done extensive work in Vietnam and probably feel they are speaking the truth to power—a noble task; in reality they are but speaking truth for

These men are paid with our tax money and have a lot to tell us about the war. The information they have in their heads and the secret documents they know about could do much to reveal the evils of U.S. government policy. One of them even went so far as to tell Dan Ellsberg he didn't want to see him for at least two years. When I asked them how things were going, the one nearer to my seat responded with a statement, the inscrutability of which is unsurpassed even in Vietnam: "You know how it is, Tony, nothing ever changes."



[VII]

I leave RAND and set out to study my own country first hand. I walk the streets and meet diverse people not previously part of my culture. I tour colleges and share wine with denizens of the Bowery. The Pentagon Papers break all around me. I become an outlaw and a jailbird. They plan 150 years in prison for Dan and me, so we need help.

LEAVING RAND WAS A MOMENT OF CRISIS for me. It was not that I was distraught over losing a career; on the contrary, I had never thought of myself and RAND as being married. I had not been "coopted," not because I was any better than all the RAND people who are, but because my commitment had been of a different order. RAND, for me, was a means of getting somewhere else. I had gotten there and found out what I wanted to know. What bothered me most was that all the liberal myths about "boring from within" had died while I was at RAND, and I didn't have any strategy for change to replace them.

I decided to float for a while, and wait the '60s out. I began to study my country in much the same manner as I had studied Vietnam. I was able to do this much more easily, of course, because I knew the United States much better than Vietnam and could cut corners. Also, unlike my

former RAND colleagues, I don't believe in using bureaucratic methods. I toured the streets and worked there. I lived with friends on the lower east side who knew the neighborhood so well they could point out all the muggers. They took me through the Harlem streets, and we went into "shooting galleries" (where junkies take heroin together). At one point I came close to death when three black men with knives mistook me for a heroin pusher. Luckily a friend saw the attack from across the street and helped me chase off the attackers. I hit college campuses during the strike after the Cambodia invasion in spring of 1970. By December of that year I had decided to go to work for the County Probation Department because I feel probation is the only viable alternative to incarceration.

On June 13, 1971, the Pentagon Papers broke; a few days later Sidney Zion, an unemployed former *New York Times* journalist, told the world that Dan had done it; and on June 19, in the afternoon, the FBI appeared at my doorway. The dialogue was terse: "Are you Russo?" "Yes." "We want to talk to you about Ellsberg." "I do not wish to talk to you." "Do you have a lawyer?" "That's none of your business."

The FBI lost no time in having me subpoenaed by the grand jury. On the following Tuesday morning, June 22, I pulled up to my house and, just as I got out of my car, noticed an FBI car skid to a halt blocking my driveway. Both doors flew open and two agents bounded up to me and tapped me on the shoulder with the subpoena. I noticed that Robert Meier, the U.S. Attorney, had not signed it. I later found out that Meier was against the government pursuing the case, because they essentially had none. He resigned shortly thereafter. The agents assured me that the subpoena was legal with only the clerk's signature. My attorney concurred, so I showed up at the courthouse the next morning with my toothbrush in my pocket ready to go to jail because I was sure of one thing: I was not going to cooperate with the inquisitors. I made it clear that while I would tell my story in open court I could not tell it in secret before a grand jury which is acting as a rubber stamp for the prosecution. Originally intended to protect the people from arbitrary prosecution by kings, grand juries in America have become repressive tools of the executive branch. No man or woman of principle should feel obliged to cooperate with them. Grand juries can punish or harass people who don't do their bidding. Legally they have the power to grant the witness immunity from prosecution (whether the witness wants it or not); he or she is then in the position of either answering any and every question asked (without counsel present) or being cited for contempt of court and put in jail. That's precisely the position I found myself in last summer. The prosecution was trying to coerce me into helping them get Ellsberg who, I have heard it said, was marked for prosecution by Henry Kissinger, one of his former colleagues.

I wasn't put in jail right away. I refused to testify on the basis of the Fifth Amendment and stuck to my position, even after they granted me immunity. I faced jail six times while a series of continuances, bails pending appeal, and stays of execution played themselves out through the summer. Each time it was a relief to find a few more days of freedom. But finally, on August 16, the Supreme Court

denied my motion to stay out of jail; I surrendered to the bailiff, on the courthouse steps at 4:00 PM, and was in the Los Angeles County Jail within two hours. After spending the night on the concrete floor of the bull pen, I was called into the booking room. The booking clerk, a young woman, insisted on taking my reading glasses while I was trying to explain to her that I needed them. Apparently you're not supposed to talk during the booking process, because one of the guards became incensed at me, grabbed my arm and began shoving me down a hallway where four other guards joined in and pushed me rather vigorously into a "maximum security" cell—the hole. The absurdity of the situation began to sink in as I sat on the floor in the hole. They had kept me up all night, made me sleep on the floor, shoved me around, and hadn't even let me make a phone call. I sat there until about 8:30 AM when I figured the time had come to ask for my phone call. The guard outside the door ignored my request; he wouldn't even acknowledge hearing me. I started getting mad and kicked the door for several minutes when all of a sudden it flew open, half a dozen guards burst in, and I was thrown to the floor, their knees in my back, while they handcuffed me, chained my ankles, and tied my wrists and ankles together behind my back. They slammed the door behind them and left me on my belly tied in a neat little bow.

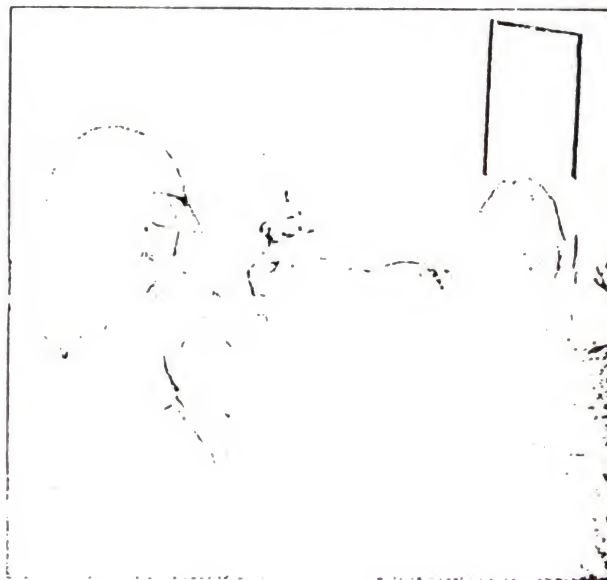
The fact that I was now a criminal continued to be impressed on me during my entire 47-day stay in jail. On September 6, in Terminal Island Federal Prison where I had been transferred, I was beaten up for refusing to let two guards take my journal from me: one of my toenails was half torn off, a bone bruised, and a bump was left on the back of my head. For this I was then hauled before the "adjustment committee" (the Prison Star Chamber proceedings) where I was charged with "agitating and disrupting the other inmates." The guard who had beaten me was present but said nothing; I attempted to engage him in dialogue but he would have no part of it. In fact, no one on the committee said anything after I finished delivering my defense, which drew on behavior modification psychology. I was ushered out of the room while they deliberated; I returned to hear their verdict. I was acquitted of the charge; a hollow victory at best.

On October 1 I submitted a motion to the court, requesting a transcript of any grand jury testimony I should choose to make. Earlier in the summer I had suggested this to my attorney, but he hadn't thought it would work. So I got a new attorney who felt differently and we made the motion. If the court would grant it, I would agree to testify because a copy of the transcript could be made public. It was equivalent to letting the public into the grand jury room as far as I was concerned. The court did grant the motion, and I then agreed to testify. I was let out of jail, and scheduled to appear in court on October 18. But I never did testify: the prosecutor, David Nissen, abusing due process, refused to agree to give me a transcript and termed the court order "unlawful and beyond the authority of the court." A month after Nissen disobeyed the court order an opinion was handed down by the presiding judge, Hon. Warren J. Ferguson, declaring that, since I had been willing to testify with a transcript, I was no longer in contempt of court.

But no sooner was I out of jail and back on the street, when at the corner of Main and Selby Avenues in West Los Angeles, I was pulled over, handcuffed, choked, pushed face first into the pavement and beaten by two officers of the Los Angeles Police Department. I was charged with two counts of disorderly conduct, one of resisting arrest and drunk driving, and am awaiting trial. The next night Ellsberg spoke at the biggest political rally in the history of Los Angeles. It is well known that the FBI and the right-wing Los Angeles Police Department work closely together, although proving they did so in this case will be a difficult job.

After six months of coercion and harassment, the prosecution indicted me, disregarding the immunity which they had given me in June. My feeling is that the prosecution would have indicted me back in June had they not wanted me to help them get Dan. Attorney General Mitchell boasted back in the summer that he would indict anyone involved. He must have decided I was dangerous, for over 16 FBI agents came to try to arrest me, threatening my friends for "harboring a fugitive," although the indictment was still secret. Instead of calling my attorney to inform him of the indictment so I could surrender, they declared me a "fugitive" and started hunting me. My lawyer heard a rumor about it, checked it out, and arranged for my surrender. I barely escaped being dragged in like a criminal and held for \$100,000 bail.

So far, this is a story without an ending. The indictment itself is an affront to one's sense of justice. Dan and I are charged with "conspiracy to defraud the United States and an agency thereof." But the whole point of the Pentagon Papers is the incredible extent to which the government has defrauded the people of America. There is much more at stake than the fact that Dan faces 115 years of jail and I face 35. As William G. Thompson, one of Sacco and Vanzetti's lawyers once said: "I will say to your honor that a government that has come to honor its own secrets more than the lives of its citizens has become a tyranny."



Without the help of Katherine Barkley, my partner, this piece could not have been written.

PRESS CONFERENCE

Wednesday, March 22, 1972, 9:00 am

RAMPARTS Magazine and Anthony Russo, co-defendant in the Pentagon Papers Conspiracy case, will hold a press conference Wednesday, March 22d at 9 am in front of the Santa Monica headquarters of the RAND Corporation. Russo will detail charges against the RAND Corporation made in the April issue of RAMPARTS which goes on sale the same day.

RAND's involvement in the Vietnamese crop destruction program and the hitherto secret "Vietcong Motivation and Morale Project," and other specific RAND studies now presently classified will be revealed by Russo.

In addition, Russo will urge employees of the Air Force think-tank to work in the public interest, rather than for the benefit of Pentagon war aims, by releasing classified studies. These studies, he will argue, have been classified, not because the nation would be hurt if their contents were revealed, but because their exposure would hurt certain highly placed officials.

In this way, March 22d will mark the beginning of public exposure and understanding about the RAND Corporation, one of the most important but least known institutions shaping U. S. policy in Indochina.

Contact: Katherine Barkley (213) 459-2830

FBI

Date: 3/30/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, BOSTON (65-5236)

SUBJECT: MC LEK SIO

C. D. [Signature]

Re Boston nitel dated 3/29/72.

Enclosed herewith for the information of the Bureau and Los Angeles are two copies of two articles appearing in the 3/29/72 edition of the "Harvard Crimson", a daily newspaper published on the campus of Harvard University.

The first article is described as an "unofficial transcript of secret testimony presented by SAMUEL L. POPKIN, Assistant Professor of Government, before the Boston Grand Jury investigating the Pentagon Papers case."

The second article is a news analysis entitled, "Grand Jury in the Dark" by RICHARD J. MEISLIN.



1 Los Angeles (Encls. 2) (105-27952) (RM)

1 Boston

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Grand Jury in the Dark

By RICHARD J. MEISLIN

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A document received by the *Crimson* yesterday indicates that the Boston grand jury investigating the Pentagon Papers case is engaging in a blind fishing expedition in its questioning of Samuel L. Popkin, assistant professor of Government.

The 25-page document is an unofficial transcript of the grand jury's questioning of Popkin during its five and one-half hour session Monday. Official transcripts of grand jury hearings are secret and are not available to the public.

NEWS ANALYSIS

The full text of the unofficial transcript begins in column one of this page.

The nature of the questions put to Popkin by the grand jury seems to suggest that it knows far less about the processes involved in the procurement and distribution of the Pentagon Papers than is generally assumed.

Its interest in Popkin appears to reflect a self-

(Continued on Page 8)

Popkin Analysis

protective attitude stemming from a desire not to find itself without any leads for investigation of one of the most outstanding examples of how private citizens can reveal information that the government would rather keep in the dark.

Despite an opening statement by Popkin testifying that he had seen portions of the Pentagon Papers only after their publication in *The New York Times* and that he was not aware of any plans for publication or distribution, the grand jury repeatedly asked him about his involvement in both of these matters. Popkin repeatedly read the paragraphs from his original statement denying knowledge.

The grand jury, failing to obtain an affirmative answer of previous knowledge, then moved into the more nebulous area of opinion—did Popkin have an opinion on who might have had copies of the papers?

Popkin's questions on the relevance of these inquiries were repeatedly rebuffed.

But the jury pressed further. How were these opinions formed? Through contacts and interviews in line with his research on Vietnam, he replied.

Who were these contacts, the jury countered. Popkin repeatedly invoked a narrow definition of the First Amendment—protection of the identities of sources under freedom of speech, press and assembly.

It is for these First Amendment answers that Popkin faces a hearing on whether he should be found in contempt. "The prosecution's argument is based on the questions that I did not answer," Popkin said yesterday, "and not on those that I did answer."

He added that his attitude toward the Pentagon Papers was basically one of disinterest. "You don't find out anything about Vietnam from the Pentagon Papers—you find out about Washington."

ON

Q. Statement to the effect that Mr. Popkin was dismissed.

A. I am dismissed forever or for today?

Q. Mr. Popkin you can tell your counsel that there will be further hearings in because of your refusal to answer all questions.

A. I respectfully request that I be furnished at my own expense a transcript of these proceedings so that I may be able to demonstrate my good faith before the grand jury to all those with whom I deal in the course of my legitimate scholarly research.

Q. Mr. Popkin you had a motion in court for a transcript which was denied. All of us here are sworn to secrecy and only a judge can authorize a transcript.

END OF TESTIMONY

The hearing on the government's request that Samuel L. Popkin, assistant professor of Government, be found in contempt for his refusal to answer all questions of the Boston grand jury investigating the Pentagon Papers case was continued yesterday pending availability of a transcript of Monday's grand jury hearing.

The case will resume today before Federal District Court Judge W. Arthur Garrity Jr. It was originally scheduled to be heard before Judge Francis J. W. Ford '04 but was transferred to Garrity yesterday morning.

Counsel for Popkin and for the government yesterday allowed excerpts of Monday's hearing dealing with Popkin's refusal to answer to be read in open court. The counsel for the government, however, required that the hearing be closed for portions outside that range.

The Crimson obtained yesterday an unofficial record of the grand jury proceedings of Monday. That transcript is printed in full beginning on page one.

Attorneys for Popkin also filed a motion yesterday to require the government to reveal any intercepted wire or oral conversations. Garrity reserved decision on that motion pending availability of the official transcript.

—R.J.M.

Transcript

(Continued from page 6)

A. I can't say.

Q. Was it many, more than 10, more than 100 (other similar questions).

A. I simply can't recall. You're asking me something that wasn't very central to my existence. It's like asking me who I discussed the Super Bowl with. It was neither important to me nor—as I said this morning anything that lit light bulbs or rang bells.

Q. Mr. Popkin can you be more precise as to how many such conversations you had.

A. I request permission to see my counsel.

The Foreman: I don't feel it's necessary to answer that question.

A. Okay then if it's not necessary I won't answer the question. (Apparently from later questioning Popkin misinterpreted foreman.)

Q. Mr. Popkin, you've indicated it was many questions, was it more than 5?

A. Yes. (mention of Super Bowl)—not that clear to me—how can I possibly say.

Q. Mr. Popkin you've told us you have opinions based upon your conversations with others, with whom were these conversations held?

A. Persons I interviewed in the course of my scholarly research.

Q. Who were these people?

A. Sir, I respectfully decline to answer on the grounds that it violates

my rights under the First Amendment to freedom of press, speech and assembly.

Q. Mr. Popkin relate to us as best you can the conversations which caused you to form opinions of who possessed the Pentagon Papers in Massachusetts. We'd like to know the substance of these conversations?

A. I request permission to see my counsel.

Foreman: I don't think it's necessary to answer that question—I don't think it's necessary to see your counsel in order to answer that question.

A. I request permission to see my counsel.

Talk from the prosecutor.

A. I request permission to see my counsel.

Permission granted.

A. Persons I have interviewed in the course of my research talked about documents and decisions that I now see are discussed in the Pentagon Papers. Other persons who I interviewed had had access to what is now apparently this study. I was never given definitive information that someone possessed the study in this state.

Q. Mr. Popkin with regard to the conversations with individuals who refer to documents or decisions relate to us the nature of that conversation.

A. Are you asking me about the contents of interviews?

Q. We are concerned with...we would like to know specifics of conversations in which documents or decisions were discussed.

A. Is this really necessary?

Q. Who were the conversations with?

A. Persons interviewed in the course of my research.

Q. Please name these persons?

A. Do not remember if there was an answer or he just backtracked for more information.

Q. Mr. Popkin what is the nature of your best recall of conversations indicating information which caused you to form your opinions.

A. It's still not clear to me. Are you asking about opinions I formed before or after June 13, 1971?

Q. Mr. Popkin this morning you said you had opinions.

Answer

Interruption

Answer

Interrupted Answer.

A. You asked me this morning if I had knowledge. I said I had no knowledge only opinions.

Q. Mr. Popkin who in your opinion possessed this study prior to June 13, 1971?

A. First Amendment taken.

Q. Mr. Popkin relate as best you can conversations which caused you to form opinions that certain individuals had Pentagon Papers in Massachusetts prior to June 13, 1971.

A. Previous answer repeated.

Q. Mr. Popkin think of one of these persons, a Mr. X and what caused you to form the opinion that Mr. X possessed a copy of the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. May I see my counsel.

Q. (Called back because Barry was in a hurry to finish) Mr. Popkin have you had adequate time to consult with your lawyer.

A. No I have not.

MARCH 29, 1972

A. In the course of my interviews it became apparent that many persons were acquainted with documents and studies such as the Pentagon Papers.

Q. With whom.

A. Persons interviewed in the course of my research.

Q. Please name them. These persons who furnished you with the information which caused you to form an opinion as to who possessed the Pentagon Papers in Massachusetts prior to June 13, 1971.

A. I respectfully decline to answer on the grounds that this question violates my rights to freedom of press, freedom of speech and freedom of assembly under the First Amendment.

Q. Please state the specific time and place of conversations which caused you to form opinions as to who possessed a copy of the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. To the best of my recollection I am unable to recall the specific times and places of any conversations.

Q. To the best of your recollection when did the conversations take place which caused you to form opinions as to who possessed a copy of the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. To the best of my recollection I am unable to recall the specific times and places of any conversations.

Q. To the best of your recollection when did the conversations take place which caused you to form opinions of who possessed copies of the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. Over the past years (aside to stenographer: that's years plural) without any specific recollection.

Q. Mr. Popkin you don't recall any specific occasions which you can tell us...any specific time—Mr. Popkin you don't recall any specific occasions which you can tell us a time or place more specific than that?

A. Request permission to see counsel.

Q. Mr. Popkin you've been taking a lot of our time—you were just gone for five minutes.

A. That is not true. I came back as quickly as I could. It was much less than five minutes.

Q. Well the time before that was nearly five minutes; the last time was relatively short. Please keep it short.

A. I'm doing my best to keep this as short as possible. It's as long for me as for you.

A. As I said this morning I vaguely—dimly—recall first hearing of what is now apparently this study sometime in late 1967 or early 1968.

Q. Where did this conversation take place?

A. Request permission to see my counsel.

Q. Mr. Popkin, this is the third time you've asked to see your counsel on a similar, very closely related question.

A. I request permission to see my counsel.

A. The conversation took place in either Connecticut or Massachusetts.

Q. Where in Connecticut or Massachusetts?

A. If Connecticut it was in and around New Haven while I was teaching at Yale. If in Massachusetts it was in the Boston area.

Q. Who was that conversation with?

A. Someone I interviewed in the course of my research.

Q. Who was this person?

A. I respectfully decline to answer on the grounds that this question violates my rights under the First Amendment to freedom of press, speech and assembly.

Q. Mr. Popkin, getting back to the question I'd asked you earlier, it seems we're getting lost, I ask you what conversations you had that led you to form opinions as to who might have possessed the Pentagon Papers in this state?

A. I have not changed the subject.

Q. Mr. Popkin were there any subsequent conversations...

A. Yes.

Q. Where? When were these other conversations?

A. Over this period of time.

Q. How many other conversations were there which caused you to form opinions as to who possessed the Pentagon Papers in the state of Massachusetts.

(Continued on Page 8)

Q. Has anyone else ever discussed with you the possibility of releasing a copy of the Pentagon Papers to Neal Heechan.

A. No.

Q. Has anyone discussed with you the possibility of releasing the Pentagon Papers to anyone else?

A. To the absolute best of my knowledge and memory no.

Q. We have asked you about Neal Heechan. I would like to now ask you if you have any knowledge with respect to the Washington Post?

A. Absolutely none.

Q. Do you have any idea as to the source or mechanics of transmission of the Pentagon Papers to the Boston Globe.

A. Absolutely none.

A. That also holds with respect to every other paper that published any part with the exception that I remember reading in some open public source, some story about some newspaper in America receiving something through the mail that sounded like a "dead letter drop." I cannot remember which newspaper that was. I have no knowledge other than that of the source and mechanics of transmittal for any newspapers.

Q. Did Daniel Ellsberg discuss with you the contents or existence of the Pentagon Papers between January 1, 1971 and June 13, 1971.

A. Any information I might have comes from interviews conducted in the course of my scholarly research.

Q. The question was repeated.

A. I regretfully and respectfully decline to answer on the grounds that this question violates my rights under the First Amendment to freedom of press, speech and assembly.

Q. Mr. Popkin let's return to a question you were asked this morning. What is your opinion as to persons you believed possessed a copy of the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. What is the pertinence of my opinion on this subject to the subject under inquiry.

Q. The grand jury does not answer questions.

Q. The question was repeated.

A. Sir, I respectfully decline to answer on the grounds that this question violates my rights under the First Amendment to freedom of press, freedom of speech and freedom of assembly.

Q. When was this opinion formed?

Let me start over Mr. Popkin—is your opinion as to persons who possess the Pentagon Papers in Massachusetts based upon conversations with others?

A. My opinions as to persons who may have possessed the Pentagon Papers in the state of Massachusetts were based upon interviews conducted in the course of my scholarly research.

Q. What was told to you in these conversations which caused you to form an opinion as to the persons you believed possessed a copy of the Pentagon Papers in Massachusetts prior to June 13, 1971.

Transcript

(Continued from page 5)

1971, what was your knowledge as to the persons who participated in making this study?

Q. Mr. Popkin am I correct in observing that you are making a copy of the question. Why, Mr. Popkin.

A. I want to be able to accurately reflect the question posed to me when I consult with my counsel.

Q. Mr. Popkin why do you request to see your lawyer. We are asking a question where it is not clear as to why you need to see your counsel.

A. I request to see my lawyer.

Q. The grand jury wants to be agreeable. We are not asking you for information from your lawyers. They have no information as to what you know...(unclear)

A. I didn't realize that that was a requirement of (unclear) to be allowed to see my lawyers. I request to see my lawyers.

Q. The question was prior to June

13, 1971, what was your knowledge as to the persons who participated in making the study.

A. May I be advised to the pertinence of that question to the subject under inquiry.

Q. No you may not.

A. My only knowledge of that answer comes from scholarly research.

Q. What is that knowledge.

A. I respectfully decline to answer that question on the grounds that it violates my rights under the First Amendment to freedom of the press, speech and freedom of assembly.

Q. Is the knowledge derived in part from conversations you had with others?

Q. Who were the persons you interviewed to acquire this knowledge of who participated in the study? When and where were the conversations in which you acquired knowledge as to who participated in the Pentagon Papers study. Forget that.

A. May I—The persons I acquired this knowledge from were interviewed in the course of my scholarly research.

Q. The question was who were the persons you interviewed to acquire this knowledge.

A. I respectfully decline to answer this question on the grounds that it violates my rights under the First Amendment to freedom of press, freedom of speech and freedom of assembly.

Q. When and where were the conversations you had in which you acquired your knowledge as to who participated in the Pentagon Papers?

A. The interviews were conducted over the past 5 or 6 years in the United States and Viet Nam.

Q. Can you be more specific as to where these conversations were held in the United States?

A. New York, California, Connecticut, Massachusetts and the District of Columbia.

Q. When was the conversation in Massachusetts which led to your conclusions as to who participated?

A. This seems to imply that I was trying to conclude and find out who was working on this study.

Q. Please answer the question as was given.

A. The wording seems to imply that I was investigating and trying to conclude as to who participated.

Q. Have the stenographer read back the question.

A. As I pointed out to you, the implication that I was trying to find conclusions or studying investigating in any way that particular study are misleading. However, interviews in which I learned of the existence of this study which is now so prominent go back to the District of Massachusetts at least to late 1967 or early 1968.

Q. Were there a number of conversations in the District of Massachusetts which helped you form this conclusion as to who some of the participants were?

A. Yes and I want, and ask the stenographer to make clear that I interpret these as interviews and not conversations.

Q. Was this a number of conversations with different people or several conversations with one person?

A. The interviews would cover a number of interviews with different people.

Q. Who are those persons to whom you are referring in the District of Massachusetts which led to your knowledge of who the participants were in the Pentagon Papers study?

A. Persons I interviewed in the course of scholarly research.

Q. The question was who are those persons.

A. Persons I interviewed in the course of my scholarly research.

Q. Please name them.

A. I respectfully decline to answer the question on the grounds that it violates my rights under the First Amendment to freedom of press, freedom of speech and freedom of assembly.

Q. Mr. Popkin, prior to recess you testified that you do not know Neal Sheehan.

A. Absolutely correct.

Q. Mr. Popkin would you describe to the Grand Jury what you know of the relationship between Neal Sheehan and Daniel Ellsberg?

A. Nothing.

Q. Has Daniel Ellsberg ever discussed with you the possibility of turning over the Pentagon Papers to Neal Sheehan.

A. No.

Transcript

(Continued from page 3)

was the source of the Pentagon Papers?

A. I do remember that the two FBI agents told me Daniel Ellsberg had admitted giving the Papers and that they wanted to "know all about Daniel Ellsberg" but I can't remember details of the conversation other than that there were a great number of questions about his character and personality and also that I told them that I had no knowledge that anything like this was going to happen and had not seen any part of any portion of any version etc. If you have a transcript of what I am supposed to have told these FBI agents I would be glad to refresh my memory.

Q. Mr. Popkin do you recall or don't you that you said your immediate reaction was that Daniel Ellsberg had been the source?

A. Repeated in effect what was said above.

Q. He said what does that mean.

A. Popkin said that means no.

Q. Mr. Popkin, might you have

told them that Daniel Ellsberg might have been the source?

A. Are you saying might I have told the FBI that Dan Ellsberg might have been the source?

Q. Mr. Popkin let me rephrase the question. Disregarding what you may or may not have told the FBI on July 12, do you recall an immediate reaction that was formed in your mind upon hearing about original stories in the New York Times about who may have been the source?

A. I request permission to see my counsel.

Q. Mr. Popkin, how can your counsel be of use in this case? We're asking you about your immediate reaction.

A. I request permission to see my counsel.

Q. Mr. Popkin you are being asked about your immediate opinion, how can your counsel be relevant?

A. I request permission to see my counsel.

Q. Mr. Popkin you are stretching things for this grand jury. Your exits from the room having (sic) been ranging about five minutes. This is being an inconsiderable inconvenience to the grand jury.

A. Mr. Prosecutor, this has been going on for me as long as it has for them. I am sincerely sorry about the trouble and time I'm taking from these good people. I assure you that I am just as anxious as they are to get this over with.

A. What is the pertinence to the subject under inquiry of my immediate reactions to the stories?

Q. Mr. Popkin the grand jury does not answer questions.

A. I could have told the FBI that I thought it might have been Daniel Ellsberg because I had a number of speculations as to the sources—as to the possible sources of the news stories.

Q. What were your other speculations?

A. What is the precise relevance of my speculations formed in the course of scholarly research to the subject under inquiry?

Q. Let me withdraw the question and ask it in a different way. What were the bases for your opinion and conclusions as to who may or may not have been the source?

A. I had no conclusions whatsoever, and my opinions and speculations were based entirely

PAGE FIVE

upon my scholarly research.

Q. To your knowledge when did Neal Sheehan acquire a copy of the Pentagon Papers?

A. I have absolutely no knowledge whatsoever as to if, where or when Neal Sheehan acquired a copy of the Pentagon Papers.

Q. Mr. Popkin is it your testimony that you have no information other than what you have read in public sources as to the mechanics of the distribution?

A. Yes. Absolutely!

Q. When did you first learn of the existence of the Pentagon Papers?

A. I request permission to see my counsel.

Q. Mr. Popkin why could you possibly want to see your counsel. This is a straightforward question of fact.

A. Mr. Berry, every time I have been here since July or August when a question which is actually very complicated is asked I am always told it is very simple and I shouldn't want to leave the room. I request permission to see my lawyer.

A. During the course of my research I became aware of the study that is now prominently differentiated

(sic) from all other studies by the name of the Pentagon Papers but I cannot say if it was 3, 4, 5 years ago more or less.

Q. Was it prior to June 13, 1971?

A. Yes.

Q. To the best of your recollection, more than a year before that date.

A. Yes.

Q. Were you aware of the scope of this study?

A. I can't really say. When I heard about the study it certainly did not light bulbs and ring bells in my head.

Q. Before June 13, 1971, did you become aware of the purpose and scope of this study?

A. May I please be informed of the pertinence to the subject under inquiry on my knowledge of the scope and purpose of this study?

Q. Mr. Popkin we are not going to answer that question you need not repeat it.

A. I understand. Generally I knew about the scope of this study, but not its purpose. I did not know its chapter headings for example, nor was it anything especially exciting to me.

Q. Mr. Popkin prior to June 13,

(Continued on page 6)

The grand jury is not concerned about what you have learned from public sources, but we would like to ask you the names of individuals...

Q. You said previously in your testimony that you did know of some people who possessed the Pentagon Papers.

A. No I did not say that. I said I know people using numerous studies who may have used this study. I do not have any knowledge about possession.

Q. Mr. Popkin, if that is the best you can do, what is your opinion?

A. What is the pertinence of my opinion to the subject under inquiry.

Q. No you may not inquire as to the pertinence.

A. I have no opinion other than that formed in the course of my scholarly research.

Q. What is that opinion as to persons you believed possessed copies of the Pentagon Papers prior to June 13, 1971?

A. I respectfully decline to answer on the grounds that this question violates my rights under the First Amendment to freedom of assembly, speech and press. Pause.

Q. Mr. Popkin, perhaps I should rephrase that question. What is your

Q. Did you know Neal Sheehan's name was on the original bylines?

A. I don't know about the original bylines.

Q. Do you recall being interviewed by special agents in July 1971?

A. I most certainly do.

Q. When in relation to your return from Hong Kong did they interview you?

A. Technically I was not returning from Hong Kong. I was returning from the International Political Science Association Conference in Mannheim, Germany.

Q. Okay. When within your return did they interview you?

A. Within about 18 hours.

Q. Do you recall telling the FBI you had an immediate reaction as to the source of the New York Times Pentagon Papers stories?

A. They asked me so many questions from so many angles at once that I simply can't remember.

Q. Did you tell the FBI July 12, 1971, that you thought Dan Ellsberg

(Continued on Page 5)

Q. Okay Mr. Popkin what is your opinion?

A. How is my opinion relevant...?

Q. Grand Jury doesn't answer questions.

A. In the course of my research I have become aware that many persons were using portions of studies which probably included this study in preparation of their works, and in addition many who have lived in Massachusetts have publicly stated that they have worked on or had access to this study. Whether or not they had access in Massachusetts I do not know.

Q. Mr. Popkin was your answer read from a prepared statement? Mr. Popkin was this answer prepared by your lawyers?

A. I wrote this answer during the time I was out of the room.

Q. Mr. Popkin the grand jury is not concerned about what you have learned from public sources, but we would like to ask you the names of individuals referred to in the last answer who you believe possessed this study in this state prior to June 13, 1971?

A. Ask for permission to leave the room.

Q. This is nothing but the specifics within your last answer, why do you need to see your lawyer?

A. I request permission again to see my lawyer.

Q. Mr. Popkin, you have taken many visits, your last visit was more than five minutes, this is nothing but specifics within your last question.

A. I request permission to see my lawyer, why are we hasselling about this?

Q. Okay Mr. Popkin you may see your lawyer. Mr. Foreman I think this would be a good time for a break. Mr. Foreman: there will be a 20 minute break.

A. Are you asking for my knowledge or my opinion?

Q. Is there a difference?

A. Sure.

opinion as to persons you believed possessed the Pentagon Papers in Massachusetts prior to June 13, 1971?

A. Is this grand jury really asking me to violate confidences necessary to my research, simply to discover my opinion?

Q. The grand jury does not answer questions.

A. I respectfully decline to answer this question on the grounds that it violates my rights under the First Amendment to freedom of press, assembly and speech.

Pause.

Q. Do you know Neal Sheehan?

A. No, by reputation only.

Q. Have you learned in any manner that Neal Sheehan acquired a copy of the Pentagon Papers in Massachusetts?

A. No.

Q. You are aware Mr. Popkin from public sources at least that Sheehan is given credit for investigative reporting and discovering (later on repeat changed to "causing to be printed")—the Pentagon Papers?

A. His name is obviously on—somewhere near the top of the list.

Q. When did you first become aware of his association with the printing of the Pentagon Papers?

A. I cannot be sure, sometime in June or July.

Q. Where were you June 13, 1971?

A. Visiting my fiancée in Hong Kong.

Q. When did you first become aware of these stories?

A. Sometime very near to that date, some of the Hong Kong rags started to print stories about the New York Times stories and the Supreme Court fights.

A. Have you since had time to look at the original New York Times stories of June 13, 14 and 15?

A. I've looked at so many pieces in so many places, internationally and locally, of published sources that I cannot say anything about specific stories from specific dates.

you know someone must have possessed them and they must have been in this state. is that correct?

A. Yes.

Q. To your knowledge, has anyone else possessed a copy of the Pentagon Papers in Massachusetts?

A. To the best of my knowledge I have never seen any portion of the Pentagon Papers other than that which was published openly.

Q. To your knowledge has anyone else possessed the Pentagon Papers in Massachusetts?

A. As I told you I have never seen any portion of any volume of any version of the study other than that which I purchased openly from newspapers and bookstores.

Q. The question was do you know if anyone possessed any portion of any copy of the Pentagon Papers?

A. What do you mean by know?

Q. Let (sic) for this exclude mass media versions of these papers. Do you know...repeating the question.

A. What do you mean by know?

Q. Has it come to your knowledge aside from seeing them in the newspapers that someone had the Pentagon Papers in this state?

A. As I have said I have never seen any portion of any version of any volume etc.

Q. Do you know from knowledge other than from having seen them that someone possessed the Pentagon Papers in Massachusetts?

A. During the course of my work on Viet Nam I have become aware of numerous people working with numerous studies among which may or may not be what is not prominently differentiated from others as the Pentagon Papers.

Q. Mr. Popkin, more specifically, do you know if someone possessed what is now known as the Pentagon Papers in Massachusetts other than to the extent you have previously testified?

A. May I see my lawyers?

Q. We forgot to ask for the record who are your lawyers?

A. William P. Homans, Jr. and Daniel Klubock.

Q. Mr. Popkin as you know a witness has the right to see his lawyers only on serious questions. You have been out of the room twice already for periods as long as ten minutes. You are now asking permission to leave the room for a third time. Is this necessary?

A. Yes.

A. Other than my previous testimony I do not know that anyone had any portions of the Pentagon Papers in this state.

Q. Mr. Popkin, What do you mean by know?

A. May I see my lawyer?

Q. Mr. Popkin let me rephrase the question. Do you have an opinion as to whether or not anyone possessed a copy of the Pentagon Papers in Massachusetts other than to the extent you previously testified. Mr. Popkin we want to be precisely sure what you meant by the word know.

A. I asked you before what you meant by the word know.

A. May I inquire as to how my opinion is pertinent to the subject under inquiry?

Q. No you may not. Mr. Popkin your opinion did people have—your opinion—something about when was this study in this state?

A. Don't you want to know don't have an opinion. Yes I have an opinion.

in Viet Nam about the United States' involvement in Viet Nam, and I have seen hundreds of articles, studies and papers, published and unpublished, relating to my work. As a serious researcher in this area, I have been given considerable information by people in and out of government, both high and low in the bureaucratic system. My access to information depends to a large extent upon the confidence of my sources in relying upon my not divulging their identities. This is essential to the work of any serious researcher concerned with current and controversial subjects.

The Harvard Faculty have adopted the following resolution:

Resolution of the Faculty Council, Faculty of Arts and Sciences; Passed unanimously at the Faculty Council Meeting, January 19, 1972; With respect to current and future interrogations of scholars in the course of grand jury investigations, we state that, while it is the function of grand juries to question witnesses in order to establish whether crimes have been committed, the protection of confidential sources of information requires that the Government exercise restraint in subjecting scholars to questioning before grand juries. Any loss in a scholar's ability to obtain information freely lowers the quality of public debate and inhibits the advancement of knowledge upon which our society depends. When questioning a scholar about matters connected with his research, the Government should demonstrate a strong need for having the questions answered. Without such a demonstration or a showing that

A. May I be advised as to the pertinence of that question to the subject under inquiry by this grand jury?

Q. No you may not.

A. My telephone number of (sic) 876-5545.

Q. Have you ever seen any portion (same wording as last time) of the Pentagon Papers?

A. (Read exactly from paragraph 2 of the statement.) I have, of course, seen and skimmed portions of that study that have been published by the Boston Globe, New York Times, Christian Science Monitor, Chicago Sun Times, Washington Post, Bantam Press, Beacon Press and the Government Printing Office.

Q. Does this mean that the only version you have seen you viewed after publication?

A. (Reading from paragraph 3 of statement.) As I told the FBI in (sic) July 12th, to the best of my knowledge and memory I have never seen any portion of any version of any volume of that study popularly known as the Pentagon Papers prior to its publication.

Q. Were you aware in any manner that anyone possessed the Pentagon Papers in Massachusetts?

A. (Reading from paragraph 2 of statement.) I obviously became aware that portions of the original study or copies of portions of the original study must have been possessed by people in Massachusetts prior to publication.

A. All I saw was what was published, what was purchased, and read in newspapers or bookstores.

Q. (in effect) Did you see the original after publication?

A. I only saw what was available in bookstores and newspapers.

Q. You indicated by virtue of the fact that they were published here

Unofficial Transcript Details

PAGE THREE

Monday's Hearing

(Continued from page 1)

American Involvement and Decision-making in Respect to Viet Nam.

First, I want to make it clear that I have, of course, seen and skimmed portions of that study that have been published by the Boston Globe, New York Times, The Christian Science Monitor, The Chicago Sun Times, The Washington Post, Bantam Press, Beacon Press, and the Government Printing Office. I have obviously become aware that portions of the original study, or copies of portions of the original study must have been possessed by people in Massachusetts prior to publication.

I want to state, however, as I told the FBI on July 12th, that to the best of my knowledge and memory I had never seen any portion of any version of any volume of that study popularly known as the Pentagon Papers, prior to its publication. Nor was I aware of any plan or intention of anyone to

the questions relate to the scholar's own participation or direct involvement in the commission of a crime, a scholar should be permitted to refuse to answer questions about his contacts and sources. An unlimited right of grand juries to ask any question and to expose a witness to citations for contempt could easily threaten scholarly research.

I would therefore request each of the members of this grand jury and this grand jury acting as a whole to respect my obligation to refrain from divulging the sources of any information I have gained in my capacity of a researcher, and I respectfully request that whatever questions I am asked be pertinent to your inquiry into the Pentagon Papers, and that such pertinency be explained to me when appropriate.

I would also like to request that I

My access to information depends to a large extent upon the confidence of my sources in relying upon my not divulging their identities.

publish or distribute for publication the Pentagon Papers or any portion thereof. Nor did I at any time or in any way participate in any distribution of, or any plan to distribute, the Pentagon Papers for publication.

During the course of my research on Viet Nam, in which I have been engaged since the summer of 1966, I have interviewed numerous people in numerous places in this country and in Viet Nam about the United States' involvement in Viet Nam, and I have seen hundreds of articles, studies and papers, published and unpublished, relating to my work. As a serious researcher in this area I have been

be informed of the pertinence of the questions I am asked to the subject matter of your investigation, to aid me in applying the guidelines set out in the Faculty Council Resolution.

Q. As Mr. Nissen told you in your last appearance, you have immunity and you cannot be prosecuted except for perjury, etc. I would like to ask you the three questions of January 12th. What is your telephone number?

A. May I be advised as to the pertinence of that question to the subject under inquiry by this grand jury?

Q. No you may not.

A. My telephone number of (sic) 676-5545.

both high and low in the

any portion

Popkin and the Jury: A Fishing Expedition?

Crimson Obtains Transcript

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The following unofficial transcript of secret testimony presented by Samuel L. Popkin, assistant professor of Government, before the Boston grand jury investigating the Pentagon Papers case came into the possession of the *Crimson* yesterday. It is not—and should not be construed as—the official court transcript of the testimony. At the end of court proceedings in the case yesterday, that testimony had not been put into typewritten form.

Monday, March 27, 1972

Q. What is your name?

A. My name is Samuel Lewis Popkin. Mr. Foreman, I request permission to read a statement.

Q. Why don't you wait until the end?

A. Mr. Foreman, I would like to read the statement now.

Q. (To the Foreman) Is it all right with you?

Prosecutor finally says OK.

A. Entire statement is read as follows:

It is my understanding from the testimony of the foreman of this grand jury that I have been subpoenaed here to give testimony concerning this grand jury's investigation into the Pentagon Papers, which I understand to mean the multi-volume study done under the Department of Defense of

(Continued on Page 3)

FBI

Date: 4/6/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

Mr. Tolson	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (65-74060)
(ATTN.: DID)

FROM: SAC, SAN FRANCISCO (65-6076)

SUBJECT: MC LEK
SIO

CLP/JOA

Re San Francisco airtel and LHM, dated 4/5/72.

Enclosed herewith for the Bureau are six (6) copies, for Boston and Los Angeles two (2) copies each of an LHM, captioned, "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, Jr.," dated 4/6/72.

The files of the San Francisco Office contain no pertinent information or information known to be identical to the subscribers identified in the enclosed LHM.



97 APR 26 1972
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

[REDACTED]

San Francisco, California

April 6, 1972

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.

During period June 13-15, 1971, "The New York Times," a daily newspaper published in New York City, published the so-called "Pentagon Papers." Daniel Ellsberg has since publicly admitted being responsible for making the documents available to the news media in the United States. Anthony Joseph Russo, Jr., and Daniel Ellsberg are currently under indictment for violation of Title 18, Section 371, United States Code (Conspiracy); Title 18, Section 641, United States Code (Stealing, Concealing, Unauthorized Conveying and Receiving Stolen Government Property); and Title 18, Sections 793 (c), (d) and (e), United States Code (Espionage Act). Investigation has indicated that Daniel Ellsberg may have had help in reproducing and distributing these documents to various newspapers throughout the country. Investigation is being conducted to determine if [REDACTED] Daniel Ellsberg, may have assisted Ellsberg in the release of the "Pentagon Papers" to the news media.

[REDACTED] who has furnished reliable information in the past, identified toll calls made from, or charged to telephone number [REDACTED] listed to [REDACTED] [REDACTED], California. Additional investigation has determined the following identifying information regarding the subscribers to these telephone numbers.

[REDACTED]

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF [REDACTED]
DATE 5-18-72 [REDACTED]

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ON 5-18-77
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ENCLOSURE

Routing Slip
FD-4 (Rev. 12-22-69)

To: ☒ Director

Date

4/11/72

Att.: DID

BU

FILE

65-74060

Title

MC LEM

SIO

CPB/10

☐ SAC

☐ ASAC

☐ Supv.

☐ Agent

☐ SE

☐ IC

☐ CC

☐ Steno

☐ Clerk

☐ Rotor #:

RE: BU 07 - 4/6/72

ACTION DESIRED

☐ Acknowledge

☐ Assign _____ Reassign _____

☐ Bring file

☐ Call me

☐ Correct

☐ Deadline _____

☐ Deadline passed

☐ Delinquent

☐ Discontinue

☐ Expedite

☐ File

☐ For information

☐ Handle

☐ Initial & return

☐ Leads need attention

☐ Return with explanation or notation as to action taken.

☐ Open Case

☐ Prepare lead cards

☐ Prepare tickler

☐ Return assignment card

☐ Return file

☐ Search and return

☐ See me

☐ Serial # _____

☐ Post

☐ Recharge

☐ Return

☐ Send to _____

NOT RECORDED

☐ Submit new charge out

☐ Submit report by 8 APR 17 1972

☐ Type

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NEW STORIES

ENCLOSURES

1 cc each to
RAG, ISD

See reverse side

4/17/72

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JOHN F. MAGONE

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New York

97 APR 19 1972

(Mount Clipping in Space Below)

Alibi - Change

(Indicate page, name of newspaper, city and state.)

P45 Post

6/24/71

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Author:
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or
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61-25671-141
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
JUN 25 1971
FBI - [illegible]
[Signature]

CRONKITE: During the controversy (over the Pentagon papers) a single name has been mentioned not prominently as the possible source of the (New York) Times' documents. Daniel Ellsberg, a former Staff Dept. and Pentagon planner, and of late something of a phantom figure, agreed today to be interviewed at a secret location. But he refused to discuss his role, if any, in the release of the documents. I asked him what he considers the most important revelations to derive from the Pentagon documents.

ELLSBERG: So far, I think both from the papers themselves, and the reaction to them in the public and from the Administration, I think the lesson is that the people of this country can't afford to let the President run the country by himself. Even foreign affairs any more than domestic affairs, without the help of the Congress, without the help of the public. Obviously the public needs more information than it gotten from the past (or the identity in the area of Vietnam, if they're to discharge their responsibility, I think.

CRONKITE: Isn't this correcting of this problem of public information more in the character of the leaders in Washington than it is in anything that can be legislated? If the leadership wishes to be candid with the American people, presumably it will be. If it does not wish to, there's almost nothing that the press can do other than attempt to expose the truth. But getting to documents is another problem.

ELLSBERG: I would disagree with that. It seems to me that, again, the leaders, by whom I think you're referring, to the executive officials, to the Executive Branch of government, have created an impression that I think a lot of us have been unwilling to accept over the last generation. And that is that the Executive Branch is the government. And that indeed they are leaders in a sense that may not be contradicted by if we're to still think of ourselves as a democracy.

ENCLOSURE

I was struck in fact by President Johnson's reaction to these revelations as close to treason. Because it reflected to me the sense of — that what was damaging to the reputation of the particular administration or particular individual, was in effect treason, which is in effect very close to saying, I am the state. And I think that quite sincerely many presidents, not only Lyndon Johnson, have come to feel that.

What these people tell me is we must recognize this is a self-governing country. We are the government. And in fact, a function of the Constitution provides for a separation of powers. The Executive, the Legislative, and the Judiciary. And each of these branches has a duty to the people. And I think that the Executive branch, in particular, has a duty to the people to be honest and to be truthful.

them transfer of the government — alive and functioning. And I think very much that I think week. It isn't always the case. I think we cannot at all let the officials of the Executive branch determine for us what it is that the public needs to know about how well and how they are discharging their functions.

CRONKITE: Speaking of Mr. Johnson's words that this is treasonous, or whatever that exact quote was, there is a question here though, isn't there, of an individual setting up his own moral judgment over that of the law in the question of revealing these documents, for instance? I mean when we talk about public responsibility and private morality, and government responsibility, there's a crossroads there. And what about this question of individual moral responsibility and the law?

ELLBERG: I think you're right in describing it as a moral choice. A very difficult one. Very similar, I would take it to be responsibility, the choice that the New York Times and the Washington Post, and now the (Boston) Globe (NEW YORKER'S NOTE: Ellsberg did not mention the Chicago SunTimes, which carried some reports from the Pentagon papers earlier yesterday, nor the Los Angeles Times and the Knight Newspapers, whose material from the secret documents came over the wire hours after the Cronkite interview took place), sometimes I believe have faced, having been informed by the Justice Department that in the interpretation of the law by the Justice Dept., James Reston or Arthur Ochs Sulzberger (of the New York Times) or Ben Bradlee and Katharine Graham (of the Los Angeles Times) would be in violation.

They went ahead at their jeopardy, I think, feeling that their obligation to the people of the country, and their rights under the First Amendment, came above the interpretation by the Justice Dept. or the Defense Dept. Now that's basically an analogy.

CRONKITE: Mr. Ellsberg, could a government function without a system? If there was not a system, would there be a way that the system? Now, if the system is broken, I think that's a completely good point to be made. If the system is broken, then how does one go about sort of protecting one's operations if one is in his own department?

ELLBERG: The system is broken. I think, in the way that the system is broken is to — the system has an obligation to protect the system. I have spoken to many officials.

CRONKITE: Says silent. What is the system? Who is the system? Who spoke?

Here in full are the statements made by Daniel Ellsberg last night on a CBS News Special Report aired at 10:30 p.m. The TV interview with Walter Cronkite, taped earlier in the day at an undisclosed location, did not bear on the question of whether Ellsberg was the source for the portions of the long-secret Pentagon report here by The New York Times on June 13, 14 and 15.

... too frankly. It's very hard
any, the way our system
operates now, for a truly
frank, honest man, to stay
in that system indefinitely,
without being weeded out, or
fired, or made apathetic, or
in fact, corrupted in the end.

That has to change. And
the government — you ask
how can the government
function. I have to say the
government is not function-
ing well with the odds
heightened as they are now
towards concealment, to-
wards fright, in effect, fear.
One of the consequences of
burying the constitutional ob-
ligation to inform the people.

CRONKITE: Now concern-
ing the documents that we
have seen so far. These docu-
ments as released, it has
been pointed out, are incom-
plete history, for example.
They do not include the State
Department documentation, the
House documentation, except
as that across the
Vietnam areas, and the in-
formation was not available.
Further, to you drawing up
an innocent investigation.

ELLSBERG: It was simply
one of the study that
was a secret. And that was
why we were forbidden to
interview...

CRONKITE: Let me ask
about that. How was it kept
a secret from the White
House?

ELLSBERG: How was it
kept a secret from the New
York Times? The fact is that
secrets can be held by men
in the government whose
careers have been spent
learning how to keep their
mouths shut. I was one of
these.

CRONKITE: The docu-
mentation, being somewhat
incomplete — flawed history
is what some have said about
it.

ELLSBERG: Incomplete.
Like all history it is flawed.
It's certainly very incomplete.
It's a start. It's a beginning
towards history. I would say
it's an essential beginning.
But it's only a beginning.

CRONKITE: Well then is
it possible to draw conclu-
sions, Mr. Ellsberg, from
what we have read so far in
this documentation? And I
ask that with a couple of
specifics in mind. I mean,
let's just take some cases.
Assistant Secretary of De-
fense (John McNaughton, I
think in 1964 I believe it was,
came up with a paper that
was in there, suggesting pos-
sible provocation of North
Vietnam as an excuse for
escalation of the bombing.
There is really no evidence
at all that President Johnson
approved such a program or
a thought or would have
entertained it if it had been
brought to him, is there?

ELLSBERG: When you say
there's no evidence on Presi-
dent Johnson you are correct.
The record, the documentary
record available for this study
is fairly complete on the
record of presidential deci-
sions. But on the thinking
that the President may have
brought to bear on these de-
cisions are not on the internal
memoranda that I'm sure
flowed within the White
House. As a matter of fact,
my impression is that presi-
dential opinion on such mat-
ters is less committed to
paper than that of almost
any other official. More on
the telephone, more in private
conversation. It doesn't leave
a documentary trail.

So it would certainly be
right from an historical point
of view to say that conclu-
sions about presidential mo-
tive are least accessible from
this particular documentary
record.

CRONKITE: So all we
really do have here, except
where the presidential docu-
mentary trail, as you say,
crosses the Pentagon area —
what we have here then is
the thinking of lower echelons
on the contingency planning
back in the 1960s?

ELLSBERG: For more
than contingency planning.
That is a quite deceptive de-
scription being given to this
by former officials and cur-
rent ones. We're talking in
most cases about plans that
were called for by the Presi-
dent because of the recom-
mendation by a high official,
one or another, that they
might well be used in the
future. They were done in
most cases in the period
you're talking about, with
the expectation that one of
several of a small group of
plans would be used.

In many cases we're talk-
ing about a plan that was
used, or a plan that was re-
commended. The fact that it
was recommended, the fact
that it had the character that
it did, and the kind of argu-
ment that it did, is informa-
tion that I would say is very
much needed to know by the
public. The quality of think-
ing, the kinds of alternatives
that are presented to the
public — to the President.

I certainly agree that one
of the limitations to this is
that it would be a mistake to
infer too much from it as to
what the President's own
thinking was. For example
it's quite possible that he was
not getting at all alternatives
that he would have been very
receptive to. But it seems
absurd to say that the public
has no need to know, let
alone a right to know, the
nature of the recommendations
ultimately that have
been made by the appointed
officials.

And as a matter of fact, the
President's judgment in
choosing his appointed offi-
cials, and in staying with them
year after year of experience,

is again a (sic) aspect of
presidential decision making.
How much the President can
be judged only if we know
the kind of service he was
getting from those subordi-
nates.

CRONKITE: Why, now,
why today, when President
Nixon has a policy of with-
drawal from Vietnam and
seems to be proceeding along
in that plan, should this
be thrown up to the — for the
American people? Wouldn't
it be better to let this war
get over with and then take
a look at how decisions were
made and see how we can
improve that process in the
future?

ELLSBERG: The impres-
sion of the public, the voters,
in 1964 was not unlike the
impression you've just de-
scribed right now. But they
were wrong. They were mis-
taken as to where their
president intent to take the
war. As a matter of fact we
have the ironic news which
we now learn, and I think
again it is worth having
learned this, that his oppo-
nent in that election knew
more than the public did and
more than he chose to tell
the public about the nature of
that planning.

I've been very concerned
for the last two years —
almost two years now, since
the fall of '69 — based on the
information that I had from
people that I trusted and
respected within the Adminis-
tration, that we were in for
a replay of the year 1964. If
that were — if not evident to
the public, that in itself didn't
prove it was not possible be-
cause it hadn't been evident
in 1964. That's one of the...

CRONKITE: What do you
mean by a replay of '64? In
what specifics?

ELLSBERG: In 1964, the
officials who were my col-
leagues at that time in the
Department of Defense had
come to believe that it was
essential that the United
States be bombing North
Vietnam, with whom they
were not then at war, shortly.

Continued from Page 15

about the war than almost any other thing that I've ever read.

Those revelations it so happens are in the study, had not on the whole come out. Again the period '54 to '56 is I think almost more significant than what comes later. The Kennedy period is just beginning to come out. I think the notion that this study was designed, to embarrass Johnson versus Kennedy, I think will be quickly allayed within the days, given what I find coming out in the papers right now.

We're talking about a history that covered four administrations. Three Democrat, one Republican. One of the striking aspects of it I think is the sameness of policy throughout those four administrations.

If there are implications for the current administration, I think it's because it's really difficult to read those studies from the beginning and consecutively, conclude that any one of them, any one of those administrations, would have behaved very differently than Lyndon Johnson did. It may be that they would, but you can't have much confidence that they would, in 1965 and the circumstances in 1965. And that's not reassuring at all.

It does in effect take the issue out of politics as you defined it, I think, and raise much more questions of whether we have been play-

ing follow-the-leader a little too long, and whether we should not look very hard at the question of the Congressional role in foreign policy. The role of the courts in passing upon relations between the President and Congress. And the relation of our policies to our international obligations. And the need for the public to take a much more active and informed role.

So I think ultimately the effect will be far more on our institutions under the Constitution than it will be on the fate of any one party.

CRONKITE: But a point that you made in some of your writings is that throughout all of the deliberations, all the papers, all of the accounting of the costs in dollars and of expenditures and the inputs and the outputs as you mentioned it, there was never any mention of consideration of civilian casualties. And does that apply to the John Kennedy Administration as well?

ELLSBERG: Oh it certainly does. I made that a very general statement, that this had never been looked at. At that time I did not allude to these studies. Nor had I publicly, however, at that time.

But the fact is that in the seven to ten thousand pages of this study I don't think there is a line in them that contains an estimate of the likely impact of our policy on the overall casualties among the Vietnamese, or the refugees to be caused, the effects of defoliation in an ecological sense. There is neither an estimate nor a calculation of past effects,

ever. And the documents simply concern the internal concerns—reflect the internal concerns of our officials. That says nothing more nor less than our officials never did concern themselves, certainly in any formal way or in writing, and I think in no informal way either with the effect of our policies on the Vietnamese.

CRONKITE: How would you describe the men who do not have the same emotional reaction to reading this, in knowing these—being privy to these secrets as you? Are they cold? Are they heartless? Are they villainous?

ELLSBERG: The usual assumption, of course, the usual description of them is, that they are among the most decent and respectable and responsible men that our society has to offer. That's a very plausible judgment.

And yet having read the history, and I think others will join this, I can't help but feel that their decency, their humane feelings are to be judged in part of the decisions they brought themselves to make. The reasons for which they did them and the consequences.

Now I'm not going to judge them. The evidence is here. I'm sure this story is more painful for many people at this moment than for me because of course it is familiar to me having read it several times.

But it must be painful for the American people now to read these papers, and there's a lot more to come, and to discover that the men who they gave so much respect and trust, as well as power, regarded them as contemptu-

ously as they regarded our Vietnamese allies.

CRONKITE: We've talked mostly about long-range effects of these revelations in changing the relationship of the government to the people. But what about the immediate effect on the war as of these days in June, 1971?

ELLSBERG: Yeah, the war is going on. I was of course delighted by the vote that I read of this morning, the headline this morning, that the Senate had taken affirmative action to bring this war to an end, and of course I hope they will go much further. I'll hope that they discover that their responsibilities to their citizens, the citizens of this country and to the voters, do go beyond getting reelected, and that they're men, they're free men who can accept the responsibility

of ending this war.

My father had a favorite line from the Bible which I used to hear a great deal when I was a kid. "The truth shall make you free." And I hope that the truth that's out now, it's out in the press, it's out in homes where it should be, where voters can discuss it. It's out of the safe and there is no way, no way, to get it back into the safe.

I hope that truth will free us of this war. I hope that we will put this war behind us. And we will learn from it in such a way that the history of the next 20 years will read nothing like the history of the last 20 years.

CRONKITE: And so the epilogue has begun before the curtain has fallen on the last act of this long-running drama called Vietnam. Even before American involvement or the war itself has ended,

the inquiry has opened on how it all began. Ellsberg speaks eloquently, with conviction, and clearly with a point of view. But only one side of the continuing debate.

The Pentagon report is only the beginning in itself. The incomplete history. There will be much more. And temptation will be great for a witch hunt, the unmasking of villains, and the manufacture of scapegoats.

Should this happen, it would divert our attention and energy from a far more serious and urgent task made clear, if nothing else has been, by the Pentagon study. And that is the reestablishment of that cornerstone of democracy, mutual trust between the branches of government, and more importantly, between the government and the people. Good night.

(Mount Clipping in Space Below)

[illegible]

and the "Tough" are the only
 tested, proven, heavy-duty
 and reliable "Tough" cranes
 and hoists in the world and
 nationally known in Vietnam.

The former Defense Department official, who has taken no public action for releasing the so-called Pentagon papers on Vietnam policy, is making the papers available to the public in response to an executive order that requires release of more than 500 of the Navy's files on the Vietnam conflict, subject to a review by the State Department.

1. The first part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The second part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries. The third part of the paper is devoted to a review of the literature on the effects of the 1997-1998 Asian financial crisis on the economies of the Asian countries.

(1) The first part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1.1) as $t \rightarrow \infty$. It is shown that the solutions of the system (1.1) are bounded and tend to zero as $t \rightarrow \infty$.

At 10:00 PM

0215

Number: 8-17-71
 Location: KNOX CITY
 Author: EDITH
 Title:

ENCLOSURE

F B I

Date: 4/13/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

ESP
Encl

TO: DIRECTOR, FBI (65-74060)
(ATT: DID)

CSB
24
[Signature]

FROM: SAC, NEW YORK (65-25641)

SUBJECT: MC LEK - SIO

NYO became aware after the fact, that DANIEL ELLSBERG spoke before a luncheon held at the Harvard Club, NYC on 4/12/72, which luncheon was sponsored by Project Help Unsell the War, in connection with a newspaper story written by JERRY TALLMER entitled "Nixon Has Failed to Sell the Air War: Ellsberg", which appeared in the "New York Post" on 4/13/72.

Bureau attention is invited to paragraph 7 which reads, "If this 'cynical view' is true, ELLSBERG said somberly, then 'the war will not end...But I would not have released the Pentagon Papers if I believed that'."

Two copies of this news story are enclosed herewith for the Bureau. A copy is also being designated for the information of the Los Angeles Office.

2-Bureau (Encs. 2) (RM)
1-Los Angeles (105-27952) (Enc. 1) (RM)
1-New York

1 encl of newspaper articles to ASD Martin
(info) 4-17-72 JH/rep

REC-18

TJD:EG
(5)

ST-109

10 APR 15 1972

3401
SPECIAL AGENT IN CHARGE

97 APR 2 1972
Special Agent in Charge

Sent _____ M Per _____

(Mount Clipping in Space Below)

By JIMMY KILPATRICK

It had in 1964, now, a paper for Daniel Ellsberg of President Nixon's heretofore "spectacularly successful" campaign "to sell an endless war by making it invisible" through "transferring it to the air in the hope of getting it off the TV news and out of the minds of Americans."

Something of an authority on shedding light on the invisible, Ellsberg quoted a line of poetry by Vietnam veteran Jan Barry: "The longest nightmare never seems to ever quite come to an end." Then he spoke of the nightmare that has suddenly fallen across Richard Nixon and his chances of reelection.

That he has most feared over the last three years—"a Vietnamese offensive—"has now come upon him..." three years and 3 million tons of bombs later..."

"So he has failed in part of his strategy, no matter how it comes out. The war is visible in an election year. And the question is: Can he be reelected?"

Ellsberg's remarks on Nixon's selling of the war came at a Harvard Club luncheon for the day of the Project Unsell. The Vietnam veterans' group had been in the city since the week ended in San Francisco and now operating under the auspices of the 41,000-member Campaign and Laymen Concerned.

That sales job, said Ellsberg, had been out of George Orwell—"War is Peace"—and "an insult to the American people," in that it was based, on the belief "that American people do not care and cannot be made to care about Vietnamese deaths."

If this "cynical view" is true, Ellsberg said somberly, then "the war will not end... But I would not have released the Pentagon Papers if I believed that."

The one-time Pentagon planner said he thought it "very hard to predict" the outcome of the future. He currently is in Vietnam because "there never really has been a battle like this in history, I guess—to make poorly well-equipped peasant soldiers against an armada of air power."

Ellsberg spoke in a low voice, lean and tense, even a bit haggard. But that was perhaps because he had been up all the night before, finishing his new book, "Papers on the War," due at Simon & Schuster a few hours after yesterday's luncheon.

One of the Project Unsell ads, he told the group, showed a birthday cake with 10 candles. "But the Vietnam war," said Ellsberg, his hands in his pockets, "is 20 years old, not 10 years old." Over which period, he said, "five Presidents—two Republicans and three Democrats—have continuously lied about the nature of our involvement and where it was going." He prompted the group into these questions:

"Truman-Henryhower" already. "We're not in it. It's their war."

Lyndon Johnson. "We're in, but we're winning."

Nixon. "We're in, but we're getting out, so it's war over."

Ellsberg said the war is "a very real thing" and "a very real fight. The only thing that is not real is the idea that it is over."

(Indicate page, name of newspaper, city and state.)

NY POST

PG. 32

Date:

8-13-72

Edition:

LATE CITY

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

65-11116-3404
ENCLOSURE

"There was no time. We were
in it. We were not winning.
The war wasn't at an end."

Nor was it a civil war, he
said, even if some of the
war's opponents called it
that.

"A war in which one side is
entirely paid and equipped
and subsidized by a foreign
power is not a civil war. It is
impossible that the American
people will now be helped to
see that the North Viet-
namese are not fighting Viet-
namese now; they're fighting
our soldiers. . . . Tens of thou-
sands of North Vietnamese
are dying now to make the
way for the Americans."

Goodell was followed on
the stand by former Sen.
Charles McNamara, one of his
attorneys in the trial on re-
sponsibility for the government docu-
ments coming up in Los
Angeles in early June.

Despite the fact that "we're
no longer killing people at 50
feet, we're killing people at
50,000 feet," Goodell said. He
added he was as sure as
Ellsberg that "the visibility
of the war in Southeast
Asia—in the absence of a
firm decision by the President
to get out—is going to be a
major issue in the Presiden-
tial campaign."

Goodell said the conspiracy
of the McNamara family and
Anthony J. Russo Jr. had
"perverted the criminal
system," and called the in-
dictment drawn under the
Espionage Act "an insult
for the old Sedition Laws."
The defense usually saw a
measure of encouragement,
he added "in what the
Irish-American jury
couldn't believe."

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 14 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Wikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 017 PX PLAIN

8:33 PM 4-14-72 NITEL WJG

TO DIRECTOR (65-74060)

LOS ANGELES (105-27952)

FROM PHOENIX (65-1117) 1P

MC LEK - SIO

REBUAIRTEL TO ALL OFFICES MARCH SIXTEEN LAST.

ON INSTANT DATE, [REDACTED] SUBJECT
RUSSO WILL BE IN PHOENIX APRIL EIGHTEEN-NINETEEN NEXT FOR
SPEAKING ENGAGEMENTS AND RADIO AND TELEVISION APPEARANCES.
HE IS ALSO SCHEDULED TO TRAVEL TUCSON FOR ENGAGEMENT, APRIL
NINETEEN NEXT.

PHOENIX WILL MAKE APPROPRIATE ARRANGEMENTS FOR COVERAGE
OF RUSSO'S ACTIVITIES AS INSTRUCTED IN RE AIRTEL.

PENDING.

END

ST-109

REC-18

65-74060-405
5 APR 17 1972

9-7 APR 21 1972

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (65-74060)

DATE: 4/6/72

FROM : LEGAT, MADRID (65-3) (RUC)

SUBJECT: MC LEK, SIO

Remycab 3/22/72.

Enclosed for information and completion of Bufiles is one copy of a memorandum dated 3/23/72 from the American Consulate General, Barcelona, Spain, regarding [REDACTED]

3 - Bureau (Enc. - 1)
(1 - Foreign Liaison Desk)
1 - Madrid
VVK:eim
(4)

ENCLOSURE

EXP. PROC.

ST-102

REC-19

22 APR 11 1972

SPEC. INV. OFFICE

1 cc'd sent to L & S (info)
4-12-72 [signature]
70 APR 19 1972
[signature]
610 D

Airtel

To: SAC, Boston (65-5236)

4/17/72

From: Director, FBI (65-74060)

1 - Mr. Wagoner
1 - ADP
1 - Mr. Hagy

MC LEK
SIO

ReLAtel 4/11/72, no copy to Boston, which noted probability of trial of Daniel Ellsberg and Anthony Joseph Russo, Jr., in U. S. District Court, Los Angeles, commencing by mid-June, 1972.

Bureau files reveal considerable investigation in the form of outstanding leads remains to be conducted by your office. Bureau desires you afford expeditious attention to these leads at this time so as to preclude necessity of conducting sensitive investigation while trial is under way in Los Angeles. In this connection, the following specific leads appear outstanding and if they have been covered, Bureau should be so advised by airtel:

San Francisco airtel 1/12/72 requested identification of two telephone numbers in your division which were called on a long-distance basis from telephone listed to [REDACTED], [REDACTED]. Bureau unable to determine whether subscribers to these two telephones have been identified.

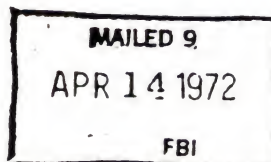
Bureau airtel 2/22/72 requested your office further identify [REDACTED] and [REDACTED] and ascertain their present whereabouts and employment. Boston airtel 3/3/72 advised [REDACTED] was actually [REDACTED], and that [REDACTED] and [REDACTED] were both [REDACTED] citizens. [REDACTED] has reportedly returned to [REDACTED] where he is affiliated with the [REDACTED] in [REDACTED]. Present whereabouts and employment of [REDACTED], however, have apparently not been developed. In addition, Bureau instructed that in view of reported [REDACTED] citizenship of [REDACTED] lead for WFO to [REDACTED]

1 - Los Angeles (105-27952)

JRH:bsf *bsf*
(7)

EX-105

SEE NOTE PAGE THREE



1059

19 APR 17 1972

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Wankart _____
Walters _____
Soyars _____
Tele. Rm. _____
Holmes _____
Gandy _____

97 APR 20 1972

MAIL ROOM ☐ TELETYPE UNIT ☐

JRH

Airtel to SAC, Boston
RE: MC LEK
65-74060

contact Central Office of Immigration and Naturalization Service (INS) concerning their background was to be set out at once upon determination of appropriate background data. No request to WFO to contact INS in this regard has apparently been made to date.

WFO teletype 2/25/72 contained background data regarding [redacted] and [redacted] who was apparently associated with [redacted] and [redacted] in the operation of [redacted] Credit records, Washington, D. C., listed an address for [redacted], Massachusetts, and Boston was requested to determine if [redacted] formerly resided there and to review records of the Department of Motor Vehicles for additional pertinent information. Bureau unable to locate response to this lead.

Boston airtel 3/3/72 noted [redacted] noted as caretaker at residence of [redacted], Boston, and that [redacted] resides in [redacted] Massachusetts, where he is employed by an [redacted]. In his capacity as [redacted] of [redacted] residence in 1971, [redacted] would have been in an excellent position to be aware of the activities of individuals, such as [redacted] and others, who reportedly stayed at this residence from time to time. Boston airtel 3/3/72 noted recommendation regarding interview of [redacted] would be forwarded following receipt of background information concerning him. Bureau files indicate the Cleveland Office has developed considerable background data pertaining to [redacted] and your prompt recommendation and observations concerning his interview are solicited.

New Orleans teletype 3/7/72 requested review of records at [redacted], Massachusetts, concerning [redacted]. Latter is undoubtedly cognizant of activities of [redacted] and other residents of [redacted] Boston, during latter portion of 1971 and her interview concerning this matter appears most desirable. While [redacted] is in [redacted] possibility exists she may return to U. S. prior to forthcoming Los Angeles trial and background data concerning her, including check of records at [redacted] should be completed as soon as possible so as to permit her prompt interview should she return to the U. S. in the near future.

Bureau airtel 3/14/72 requested your office furnish material concerning certain public statements made by Daniel Ellsberg and noted that this material was to be furnished to the Department for use in preparing forthcoming trial. Bureau files do not indicate receipt of this material and in view of Department's interest, you should expedite handling of this particular request.

Airtel to SAC, Boston
RE: MC LEK
65-74060

Boston airtel 3/14/72 in commenting on efforts to interview [REDACTED] noted [REDACTED] was then in the [REDACTED] and scheduled to return to Boston [REDACTED]. Advise whether [REDACTED] has been interviewed and if so, promptly forward results of interview in form suitable for dissemination.

Boston teletype 4/4/72 contained allegation relating to possible connections between Andreas Papandreou and Daniel Ellsberg. Bureau desires this information be furnished the Department, as well as State Department and the Central Intelligence Agency, and if not already en route, you should immediately incorporate data in your teletype 4/4/72 in letterhead memorandum as instructed by Bureau airtel 4/6/72.

In addition to prompt handling of above, Bureau expects your office to afford similar coverage to all investigation in your division which will arise from now until initiation of trial in Los Angeles.

NOTE:

With less than two months remaining prior to start of trial in Los Angeles, necessity of coverage of outstanding leads by various offices becomes apparent. Following file review, we have reminded Boston of pending work in that division and have requested expeditious coverage in order that need for extensive investigation during actual trial period will not be necessary.

APR 19, 1972

Unitarian-Universalist Association
25 Beacon Street
Boston, Massachusetts

REC-59

Gentlemen:

We enclose our check for \$10.00 as a contribution to the legal defense fund with respect to 'Beacon Press' publication of the Gravelle edition of the Pentagon Papers.

We feel the government's interference and harassment of our church is a violation of the protection assured us by the United States constitution. We feel it is of utmost importance that we protest this action and defend against this sort of government action with all possible effort.

I am sending a copy of this letter directly to the FBI, to save them the trouble of getting my name and address from your files.

W. C. C.

Very truly yours,

[REDACTED]

CORRESPONDENCE

EX-55

1000

Five C.R.B.

-3411

1072

10 APR 18 1972

APR 13 1972

AIRTEL

4/7/72

To: SAC, San Francisco (65-6076)

1 - Mr. J.R. Wagoner

From: Director, FBI (65-74060)

1 - Mr. J.R. Hagy

MC LEK
SIO

Reurairtel 2/2/72 identifying by telephone number [REDACTED] toll calls made from or charged to telephone number [REDACTED] subscribed to by [REDACTED] California.

Also refer to your airtels and LHMs dated 3/28/72 and 3/23/72 concerning these toll calls.

Referenced airtel, 2/2/72, page 18, noted two telephone calls, of one-minute and three-minute duration, were made on 12/8/71 to telephone number [REDACTED]. Referenced LHM, 3/23/72, page 18, notes call of one-minute duration made on 12/8/71 to telephone number [REDACTED] and identifies subscriber to this number as [REDACTED] Pacific Grove, California. ReLHM, 3/28/72 notes telephone call of three-minute duration made on 12/8/71 to telephone number [REDACTED] and identifies subscriber to this telephone number as [REDACTED] California. Examination of reairtel 2/2/72 fails to reflect three-minute telephone call made on 12/8/71 to telephone number [REDACTED]. San Francisco advise whether data relating to telephone number [REDACTED] is incorrect and whether original toll records actually refer to telephone number [REDACTED]. If data concerning telephone number [REDACTED] is in error, advise Bureau in order that reairtel 2/2/72 may be corrected, and thereafter submit amended page for reLHM 3/23/72. In event original toll records reflect calls actually made to both telephone number [REDACTED] and [REDACTED] Bureau should be so advised.

- 1 - Boston (65-5236)
- 1 - Los Angeles (105-27952)

EX-104

REC-58

105-27952 - 3412
A. H. H. 1972

RH:bjp
(7)

FBI

SEE NOTE PAGE TWO

121972

ROOM ☒ TELETYPE UNIT ☐

JRH

Airtel to San Francisco
RE: MC LEK
65-74060

Reairtel, 2/2/72, page 13, notes telephone calls made on 9/9/71, 9/11/71, 9/15/71 and 10/11/71 to telephone number [REDACTED]. RelHM, 3/28/72, page 2, identifies calls made to this number on 9/9/71, 9/11/71 and 9/15/71 but fails to note seven-minute call to this number made on 10/11/71. In event original toll records reflect the 10/11/71 call, Bureau should be so advised in order that appropriate data may be added to page 2 of LHM dated 3/28/72.

NOTE:

[REDACTED] who is [REDACTED] Daniel Ellsberg, resided in 1971 in a [REDACTED], California. Investigation of Ellsberg's activities indicate possibility [REDACTED] knowledge of the dissemination of the "Pentagon papers" by Ellsberg to "The New York Times" and other United States newspapers. Extremely close relationship between [REDACTED] Ellsberg suggests desirability of review of toll calls made from [REDACTED], and San Francisco obtained necessary records from telephone company and by referenced communications has provided Bureau with numbers called from telephone of [REDACTED] identity of subscribers to these numbers. We desired to enter this data [REDACTED] connection with this investigation; however, discrepancies in data must first be clarified by review of original toll records.

NR012

BS CODE

7:40 PM NITEL 4-4-72 MCC

TO DIRECTOR (65-74060)

ATTN/ DOMINTEL

ALBANY (65-2913)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

LOS ANGELES (105-27952)

NEW YORK (65-25641)

FROM BOSTON (65-5236)

TELETYPE

REC 68

MC LEK - SIO.

Mr. Caspell	_____
Mr. Roach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Whitely	_____
Mr. Walters	_____
Mr. S. ...	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

copy
Brent

Wannall

[REDACTED]

3413
559

THE T...

END PAGE ONE

740611
46-72

cc to 15D - AAC
Adm. data deleted"

4/5/72


Jan 15

PAGE THREE

BS 65-5236

AND DETERMINE FEASIBILITY OF COVERAGE AT MANHATTEN
CENTER.

BOSTON WILL MAINTAIN CONTACT WITH SOURCE TO DETERMINE
ANY FUTURE DEVELOPMENTS IN THIS MATTER. 102



END

XJDJ FBI WASH DC CLR

4/6/72

AIRTEL

1 - Mr. W. R. Wannall
1 - Mr. J. R. Wagoner

To: SACs, Boston (65-5236)(Enclosures - 3)
Albany (65-2913)
Los Angeles (105-27952)
New York (65-25641)
Legat, Ottawa (65-605)(Enclosure)

From: Director, FBI (65-74060)

MC LEK
SIO

REC 68

ST-103

65-74060-3413

ReBStel 4/4/72.

Ellsberg's activities in the matter set forth in referenced teletype are of interest in the McKel investigation only so far as those activities relate to the so-called "Pentagon papers" or the unauthorized disclosure by Ellsberg of classified information relating to United States involvement in Greek affairs.

1 - Foreign Liaison Desk (Route through for review)

JRW:bjp

54 APR 12 1972
APR 8 1972

SEE NOTE PAGE TWO

MAIL ROOM ☐

TELETYPE UNIT ☐

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

Airtel to Boston
RE: MC LEK
65-74060

Accordingly, every effort should be made to determine specifics relative to the documents Ellsberg allegedly will furnish [REDACTED] and/or whether Ellsberg makes any statements pertinent to the McLek investigation. If further inquiries into this matter indicate Ellsberg's activities do not involve the unauthorized disclosure of classified information but pertain to United States Government relations with Greece, information should be submitted under an appropriate caption for dissemination to interested agencies.

[REDACTED]

[REDACTED]

NOTE:

[REDACTED]

[REDACTED]

Journal of Interpersonal Violence 26(10)

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

RECEIVED

In level 1 agreement for the first time, 6 copies for Boston and four additional copies each of one of the other two copies of the document were made. The document was dated 3/28/78.

The filling of this form is subject to the same strict confidentiality requirements as information known to be classified by the Government. Information in the attached form should be indicated by appropriate markings.

The subject is identified in the Bureau's files and not included in review of birth of 3/22/72.

- 7502
ST-114

3414

741020 1972

Approved:

500

Special Agent in Charge

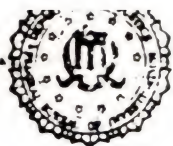
$$9. \frac{1}{2} \cdot \frac{1}{3} \cdot \frac{1}{4} \cdot \frac{1}{5} = \frac{1}{120} = 0.008\overline{3}$$

gr 44-620

8/15/46

for information of the Bureau, [redacted]
was called upon to [redacted] on [redacted] [redacted]

It is requested that the Bureau be kept advised of any
information which may be obtained in the course of possible
requirements for [redacted] of [redacted] [redacted] of
continuing value and [redacted] [redacted] [redacted] [redacted]
and that a [redacted] [redacted] the defense interest of the United
States.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Francisco, California

March 28, 1972

[REDACTED]

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.
ESPIONAGE - X

During period June 13-15, 1971, "The New York Times", a daily newspaper published in New York City, published the so-called "Pentagon Papers". Daniel Ellsberg has since publicly admitted being responsible for making the documents available to the news media in the United States. Anthony Joseph Russo, Jr., and Daniel Ellsberg are currently under indictment for violation of Title 18, Section 371, United States Code (Conspiracy); Title 18, Section 641, United States Code (Stealing, Concealing, Unauthorized Conveying and Receiving Stolen Government Property); and Title 18, Sections 793 (c), (d) and (e), United States Code (Espionage Act). Investigation has indicated that Daniel Ellsberg may have had help in reproducing and distributing these documents to various newspapers throughout the country. Investigation is being conducted to determine [REDACTED]

[REDACTED] may have assisted Ellsberg in the release of the "Pentagon papers" to the news media.

[REDACTED]

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF [REDACTED]
DATE [REDACTED]

DECLASSIFIED BY 6080-
ON 5-18-77
LED/bja

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

24/4

The April 18-24, 1969, issue of the "underground" weekly newspaper, "Berkeley Barb," published in Berkeley, California, announced that on April 20, 1969, construction of a park would begin on vacant property located three blocks south of the campus of the University of California at Berkeley (UCB). The announcement stated that "we want the park to be a cultural political freakout, and rap center for the Western world," and that "this summer...we will police our own park and not allow its occupation by imperial power."

The land in question had been recently purchased by the University of California, and cleared of buildings, in preparation for construction of an athletic playing field.

During the period April 20-May 13, the park was constructed. Rolled sod was placed in the bare ground. Trees and flowers were planted. Playground equipment was brought in, and by May 13, "People's Park" had been built. This work was directed and carried out by representatives of virtually every one of the radical leftist youth groups present in Berkeley, in cooperation with assorted "hippies," "street people," and ordinary citizens.

During construction of the park, UCB officials repeatedly stated that the University could not allow indefinite occupation and use of its land for this purpose. After prior warning, on the early morning of May 15, 1969, construction began on a high, chain-link fence around the park area.

This fencing angered many UCB students and the off-campus elements who had built and used the park. At noon on May 15 a campus rally pertaining to another issue was diverted to discussion of "People's Park." In response to one speaker's call to "take the park," approximately a thousand people went to the park. There, a confrontation with police touched off a disturbance which quickly escalated to a full-scale riot. Before the day ended, police had used shotgun fire on rioters, the Governor of California had issued an emergency proclamation, and the National Guard was called in to restore and maintain order.

From the afternoon of May 15 until Memorial Day, May 30, Berkeley was in a state of continual turmoil. Law enforcement officers and National Guardsmen met demonstrators in almost daily confrontations. During this period, over eight hundred people were arrested on various charges. These demonstrations finally ended with a peaceful mass march in support of "People's Park" on May 30, 1969.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Francisco, California

March 28, 1972

Title

RECEIVED
FEDERAL BUREAU OF INVESTIGATION

Character

RECEIVED

Reference

San Francisco, California
dated and captioned as above

All names (except any listed below) whose identities
are mentioned in referenced communication have furnished reliable
information in the past.

F B I

Date: 3/23/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL (REGISTERED)
(Priority)

Mr. Rosen _____
Mr. Mohr _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Miss Gandy _____

TO: DIRECTOR, FBI (65-74060)
(ATTN. DID)

FROM: SAC, SAN FRANCISCO (65-6076)(P)

SUBJECT: MC LEK
BIO

Re San Francisco airtel, 2/2/72.

Enclosed herewith for the Bureau is six (6) copies, for Boston and Los Angeles two (2) copies each, of an LHM captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR., ESPIONAGE - X" dated March 23, 1972.

Files of the San Francisco Office contain no pertinent information or information known to be identical to the subscribers identified in the attached LHM unless so indicated by appropriate sources.

[REDACTED]

[REDACTED]

[REDACTED]

ST-104

3415

2 APR 12 1972

ENCLOSURE

4 - Bureau (Encl 6)(RM)
2 - Boston (Encl 2)(RM)
2 - Los Angeles (Encl 2)(RM)
2 - San Francisco
SMB/kle
(10)

SPEC. INV. OFFICE

Approved: _____ Sent _____ M Per _____

97 APR 20 1972

Special Agent in Charge
Per FOIA request

GOVERNMENT PRINTING OFFICE 1971-413-135



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Francisco, California

March 23, 1972

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.
ESPIONAGE - X

During period June 13-15, 1971, "The New York Times", a daily newspaper published in New York City, published the so-called "Pentagon Papers". Daniel Ellsberg has since publicly admitted being responsible for making the documents available to the news media in the United States. Anthony Joseph Russo, Jr., and Daniel Ellsberg are currently under indictment for violation of Title 18, Section 371, United States Code (Conspiracy); Title 18, Section 641, United States Code (Stealing, Concealing, Unauthorized Conveying and Receiving Stolen Government Property); and Title 18, Sections 793 (c), (d) and (e), United States Code (Espionage Act). Investigation has indicated that Daniel Ellsberg may have had help in reproducing and distributing these documents to various newspapers throughout the country. Investigation is being conducted to determine if [REDACTED]

[REDACTED] may have assisted Ellsberg in the release of the "Pentagon papers" to the news media.

[REDACTED] who has furnished reliable information in the past, identified toll calls made from, or charged to telephone number [REDACTED], listed to [REDACTED]

Additional investigation has determined the following identifying information regarding the subscribers to these telephone numbers.

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF [REDACTED]
DATE [REDACTED]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

F B I

Date: 4/10/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (65-74060)
FROM: SAC, COLUMBIA (65-76) (RUC)
SUBJECT: MCLEK
SIO

OO: LA

Re BA airtel to Bureau, 4/3/72.

Enclosed for the Bureau are five copies, for Boston two copies, for Baltimore one copy, and for Los Angeles one copy, of LHM captioned DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR.

- 1 - Baltimore (65-3396) (Enc. 1) (RM)
- 1 - Columbia

JWA: gc 2 cc (1 SD Station (info),
(7) 12-14-72 retained 1000, 1-1-72
4 17 72

APR 18 1972

SPECIAL AGENT IN CHARGE
H. J. [Signature]

97 APR 20 1972

Sent _____ M Per _____

Special Agent in Charge

Byrne noted that one of the key issues in the case is whether the documents relate to the national defense. That question must be decided by the jury, he added.

Justice Department attorney David R. Nissen said the government should not be required now to be more specific, other than that the documents as a whole relate to the national defense.

However, Byrne indicated that in order to prepare a defense, the lawyers for Ellsberg and Russo are entitled to know what subject matter they may have to deal with.

The judge said he is drafting a proposed order to the government attorneys, and he invited both sides to submit suggested orders which would make the government's position more specific.

On many other motions, Byrne ruled sometimes in favor of the defense and sometimes in favor of the prosecution.

In one motion, attorney Berry Portman, representing Russo, asked that the government be required to turn over all transcripts of grand jury testimony to the defense.

He noted that grand juries have continued investigating the case here, in Boston and possibly elsewhere. It is improper for grand juries to continue gathering evidence to be used in a trial after an indictment has been returned, he said.

To show impropriety,

we must have information known only to the government," Portman said.

Byrne declined to order the information be turned over to the defense. However, he ordered the government to furnish him transcripts of all testimony and documents presented to grand juries elsewhere in the country, and to the one here since the Dec. 29 indictment, for his private inspection.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. WALTERS / *W*

DATE: 4-10-72

FROM : E. W. Whitwam

SUBJECT: MC LEK
SIO

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Wickert _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

LATENT PROCESSING OF "PENTAGON PAPERS"

Captioned case involves the unlawful reproduction and dissemination of the "Vietnam Studies" by Daniel Ellsberg, FBI #105131J1.

To date, Latent Fingerprint Section of the Identification Division has examined 21,835 specimens and developed 2955 latent fingerprints and 546 latent palm prints.

2518 of the latent fingerprints, 85.2%; 339 of the latent palm prints, 62.1%, have been identified; this involves in excess of 2,646,000 fingerprint comparisons and 17,300 palm print comparisons.

Of the latent prints identified, 247 fingerprints and 16 palm prints are those of Daniel Ellsberg, Anthony Joseph Russo, Jr., *[REDACTED]* Lynda Rae Sinay, associates of Ellsberg, *[REDACTED]* The remaining identifications were to individuals named for elimination purposes.

Ident estimates 5150 man hours have been used relative to latent examinations.

RECOMMENDATION:

For information.

65-74060

DEH:jat
(5)

REC-32
ST-114

12 APR 14 1972

APR 19 1972

SPEC. AGT. OFFICE

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN LOS ANGELES	DATE 4/10/72	INVESTIGATIVE PERIOD 1/29/72-3/28/72
TITLE OF CASE DANIEL ELLSBERG; ANTHONY JOSEPH RUSCO, JR.		REPORT MADE BY <div style="background-color: black; width: 150px; height: 15px;"></div>	TYPED BY bab
		CHARACTER OF CASE CONSPIRACY; TGP; ESPIONAGE	

REFERENCE: Report of dated 1/6/72 at Los Angeles

- P -

LEADS

BUFFALO

AT BUFFALO, NEW YORK: Will submit results of investigation submitted with Buffalo airtel dated 1/21/72 in report form.

LOS ANGELES

AT LOS ANGELES, CALIFORNIA: Will follow and report hearings and prosecution in this matter.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:	
CONVIC	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED <i>[Signature]</i> COPIES MADE						DO NOT WRITE IN SPACES BELOW		
9 - Bureau (65-74060) (RM) (1 - 65-74211) 2 - Boston (65-5236) (RM) 2 - Buffalo (65-2971) (RM) 2 - Washington Field (65-11613) (RM) 4 - Los Angeles (105-27952) (1 65-8361)						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> APR 18 1972 </div>		
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> REC-13 </div>		
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> SPEC. INQ. OFFICE </div>		
						<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Notations </div>		
Dissemination Record of Attached Report								
Agency	<i>Report to SD - Martin (info) + Rep. Bayless (Hearings)</i>							
Rec est Recd.	<i>Rec'd by [unclear] 6/10/72 5:00 PM</i>							
Date Fwd.	4-17-72							
How Fwd.	85							
By	<i>[Signature]</i>							

97 APR 20 1972

- A* -
COVER PAGE

GPO : 1971 - 440 579

UNRECORDED COPY FILED IN 65-74060-11

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: J. FRANCIS SULLIVAN
Date: 4/10/72

Office: Los Angeles, California

Field Office File #: 105-27952

Bureau File #: 65-74060

Title: DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.

Character: CONSPIRACY; THEFT OF GOVERNMENT PROPERTY; ESPIONAGE

Synopsis:

On 3/6/72, RICHARD BEST, Security Officer, Rand Corporation, Santa Monica, California, recalled that on 5/13/70, HARRY ROWEN, President, Rand Corporation, advised him "DAN ELLSBERG has another set of these volumes. I want you to pick them up and put them in the system." BEST said "I didn't know there was another set at Rand." ROWEN replied "I didn't know about it until this morning." BEST then told JAN BUTLER about the other set and told her to pick them up and put them in the Top Secret Control System. HENRY ROWEN advised on 3/9/72, that he had no specific recollection of the conversation with RICHARD BEST on 5/13/70 but believed it was possible that he became aware that ELLSBERG had extra volumes and had not entered them into the Rand system several days prior to 5/20/70. JAN BUTLER advised on 3/14/72 she had no personal recollection of how the extra volumes were turned over to her. ELLSBERG and RUSSO appeared at USDC, Los Angeles on 1/4/72 and entered pleas of not guilty. On 3/1/72, Judge W. M. BYRNE became ill during pre-trial hearings and had an appendectomy operation. AUSA DAVID R. NISSEN, advised on 3/28/72 that the trial date had been delayed until after 5/30/72. ANTHONY RUSSO pled guilty to five counts on 3/8/72 at West Los Angeles Municipal Court. Three counts of driving under the influence were dismissed, he was sentenced to 30 days suspended, one year probation, fined \$50.00 for one count of Disturbing the Peace and was fined \$100 for one count of Reckless Driving.

- P -

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Anthony Russo	40
Miscellaneous	48

INVESTIGATION

AT

RAND CORPORATION

1Date of transcription 2/3/72

[REDACTED]

Rand Corporation, Santa Monica, California, advised he was the supervisor of Daniel Ellsberg. Ellsberg's office was located down the hall from his and he had many occasions to contact Ellsberg at Ellsberg's office. He said Ellsberg had a product to produce for Rand clients and in his capacity as head of the department it was his responsibility to check on Ellsberg's progress. At no time did he observe carelessness or laxness on the part of Daniel Ellsberg in observing security procedures. He said Ellsberg's attitude indicated that he was very conscious of his knowledge of secret matters and of the privilege afforded him to have access to top secret material and information. Consequently he was very conscientious about security precautions. He said if Ellsberg was ever guilty of a security lapse such as leaving top secret drawers opened and unattended it would have been brought to [REDACTED] attention and it would be his responsibility to reprimand Ellsberg for this lapse. He could not recall this ever happening in regard to Daniel Ellsberg.

[REDACTED] that he knew that a study had been made regarding the situation in Vietnam and that Rand Corporation employees, including Daniel Ellsberg, had participated. He stated he knew that the results of the study had been produced in written form but was not aware of the number of volumes involved and was not aware that there was a 38 volume draft followed by a 47 finished volume product. He was also not aware that any copy of the study was in possession of the Rand Corporation, and was not aware that Daniel Ellsberg had any copies of the study.

Interviewed on 1/26/72 at Santa Monica, California File # Los Angeles 105-27952

by [REDACTED]Date dictated 2/2/72

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 3/8/72*aka "Dick"**R. 1st Best*

Richard ~~Best~~, Security Officer, Rand Corporation, Santa Monica, California, advised that he had been perusing the records and found three memoranda which have refreshed his recollection regarding the return of 18 volumes of the Draft by Daniel Ellsberg in May 1970. He stated that from these memoranda he recalls that on May 13, 1970, Harry Rowen, President, Rand Corporation, called him to his office and referring to the Vietnam study stated that "Dan Ellsberg has another set of these volumes. I want you to pick them up and put them in the system." Best remarked to Rowen, "I didn't know there was another set at Rand." Rowen was silent for about 15 seconds and replied, "I didn't know about it until this morning." Best then went to Jan Butler, then the Top Secret Control Officer, and told her that Dan had another set of the Vietnam study and told her to pick them up and put them in the top secret control system. He added that he was doing this at the direction of Harry Rowen. He then executed a form entitled "Approve for Access to Classified Storage" which form was necessary for him to enter an employee's top secret safe. This form would have to have his approval and the approval of the employee's supervisor. He checked with Jan Butler later that day and the next day to see if she had taken possession of the volumes and she told him she was unable to locate Dan Ellsberg. He took the form to Ellsberg's supervisor, Charles Woolf, a couple of days later and got approval.

Best produced a note dated May 19, 1970 from Charles Woolf reflecting that he had left a note for Dan Ellsberg. The note stated:

"Dan,

"In response to requests from Harry and Dick Best, I agreed that the inventorying and reclaiming of your Top-Secret materials should go ahead at the beginning of the week of May 18th, if you were not back then -- since that was the time you specified you were planning to return when we talked on the phone last week."

Interviewed on 3/6/72 at Santa Monica, California File # Los Angeles 105-27952

by [REDACTED]Date dictated 3/8/72

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Best then recalls that on the morning of May 20, 1970, Harry Rowen called him and stated he had received a telephone call from Richard ~~Moorsteen~~ Moorsteen and said he had just received 18 volumes of a Vietnam study from Daniel Ellsberg and wondered what to do about them. Rowen told Best to have Jan Butler pick these volumes up. Best then left a note with Jan Butler telling her to pick the volumes up from Richard Moorsteen. The time on this note was 8:30 a.m. and Best stated that he never knew Moorsteen or Ellsberg to be on the Rand premises before 8:30 in the morning and conjectured that Ellsberg had given the volumes to Moorsteen prior to May 20, 1970. *Cal. B.*


Best also produced form dated May 20, 1970 which indicated that Ellsberg's top secret safe had been opened by persons other than Ellsberg by the authority of Best and Woolf.

CW, JR

19 May 1970

Dick,

Since Dan isn't back yet, I have left
the attached note with him.



CW:lf

Attach. noted.

*We took the material
(18 vols) into accountability
on 5/20/70
B.*

10 May 1970

Dan,

In response to requests from Harry and Dick Best, I agreed that the inventorying and reclaiming of your Top Secret materials should go ahead at the beginning of the week of May 18th, if you were not back then -- since that was the time you specified you were planning to return when we talked on the phone last week.

CW:

cc: Dick Best

APPROVAL FOR ACCESS TO CLASSIFIED STORAGE

When it is necessary to open the safe file or the file cabinet of an absent member of RAND in order to check its contents, conduct an inventory, or remove a document, it is required that formal approval be obtained. For such approval a brief statement of the necessity should be entered in the space provided below. The signature of the Security Officer is required to insure that unauthorized disclosure of materials requiring special clearances is not involved and that of the Division Chief or his designate to insure that such action is consonant with division policy and personal preferences of the individual concerned.

Approval will be obtained by the person desiring entry. When the completed form is returned to the Lock and Key Office, it will be accepted as authority to open the file requested. The form will be retained in the files of that office.

Safe file or file cabinet No(s). R-12866

Custodian of file D. Ellsberg

Date 13 May 1970

Reason for entry to remove all TOP SECRET material from safe (according to orders from R. H. Best and requests from H. S. Rowen and C. Wolf, Jr.)

John S. Rowen, TSCD

APPROVED:

[Signature]
Security Officer

[Signature]
Division Chief

Duling:

1. Charles Wolf Jr

2. _____

3. _____

To: Daniel Ellberg

Date: 5-20-70

From: Lock and Key Control

Subject: Removal of Material from File

Copies to: File

At the request of H. S. Rowen & C. Wolf Jr, the following material has been removed from your file, Property Number 61-11-1

To Remove all Top Secret material from safe according to orders from R. H. Best & Request from H. S. Rowen and C. Wolf Jr

Material Received By:

J. L. Smith
5/20/70

W. A. Colhou

ROC

1Date of transcription 3/15/72ok. Henry H. Rowen

Henry S. Rowen, President, Rand Corporation, 1700 Main Street, Santa Monica, California, was interviewed and advised as follows:

Henry Rowen

He was aware Daniel Ellsberg had secured certain volumes of the Vietnam Study from Rand Corporation, Washington, D. C., for transmission to Rand Corporation, Santa Monica, in 1969 because he had been involved in the designating of Ellsberg as a courier for this activity. However, he was unaware Ellsberg had not properly placed these volumes into Rand, Santa Monica, accountability system.

Rowen was questioned as to when he actually first learned of Ellsberg's failure in this regard, to which he replied he has recently discussed this matter with Richard Best, Security Manager, Rand, Santa Monica, and although he has no specific recollection, he believes it possible that several days prior to May 20, 1970, the date when the 18 volumes Ellsberg had transported in 1969 were placed in the accountability system, he became aware Ellsberg had these volumes and had not so entered them. Rowen was asked as to the manner in which he became aware of this information and he answered he can only surmise Ellsberg had been cleaning out his safe and on locating the 18 volumes, called him to advise he had them and had not entered them into Rand's accountability system.

Rowen was asked if there could have been any other way in which he came to know about these 18 volumes and he replied he recalled Richard Moorsteen called him to say Ellsberg had just been in Moorsteen's office and left them with him and this was on May 20, 1970.

Interviewed on 3/9/72 at Santa Monica, California File # Los Angeles 105-27952

by Date dictated 3/15/72

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 3/15/72

[REDACTED]
Rand Corporation, 1700 Main Street, was present during the interview of Henry Rowen on March 9, 1972, and stated he had no direct knowledge of the events regarding Ellsberg's return of the 18 volumes in May 1970.

Interviewed on 3/9/72 at Santa Monica, California File # Los Angeles 105-27952
by [REDACTED] JFS:fet Date dictated 3/15/72

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 3/17/72

aka J. Butler
Jan L. Butler, Rand Corporation, 1700 Main Street, Santa Monica, California, was interviewed and advised as follows:

She has no personal knowledge of when anyone at the Rand Corporation first became aware that Daniel Ellsberg had 18 volumes of a preliminary draft of the study "United States-Vietnam Relations" which volumes Ellsberg had not entered into Rand's accountability system.

She, herself, has no personal recollection of how these 18 volumes were turned over to her to be eventually entered into the system as time has dimmed her memory of the details and she can only rely on her records to reconstruct the events.

She exhibited an undated memorandum from Richard Best, Security Manager, Rand Corporation, which instructed her to pick up the volumes from Ellsberg. She indicated that in her own handwriting she placed the time and date that she received this memorandum as "8:30 a.m., 5/20/70".

Interviewed on 3/14/72 at Santa Monica, California File # Los Angeles 105-2

by [REDACTED]Date dictated 3/17/72

13

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/16/72

1

[REDACTED]

Rand Corporation, 1700 Main Street, Santa Monica, California, furnished the attached correspondence and contract in response to a request to ascertain what the Rand Corporation charged the Department of Defense for the McNamara Study in regards to U. S. involvement in Vietnam. Also attached is a copy of the contract under which the study was conducted.

Interviewed on 3/9/72 at Santa Monica, California File # Los Angeles 105-27952

by [REDACTED] Date dictated 3/15/72

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LEGAL
PROCEEDINGS

(Mount Clipping in Space Below)

Ellsberg, Russo Charged in New Indictments on Pentagon Papers

BY GENE BLAKE and HOWARD HERTEL

Times Staff Writers

Daniel Ellsberg and Anthony J. Russo have been charged with conspiracy and other crimes for theft of the Pentagon papers in a new indictment which also names a former high South Vietnamese official and a Los Angeles advertising woman as unindicted co-conspirators.

The indictment, returned secretly here Wednesday and revealed Thursday morning, replaces one which had

charged only Ellsberg, 40, a former government consultant at the Rand Corp. in Santa Monica.

Ellsberg had been accused only of unauthorized possession of the documents and converting them to his own use. Several defense motions in that case are scheduled to be heard here next Tuesday by U.S. Dist. Judge Matt Byrne.

However, the new indictment greatly enlarges the scope of the charges. Russo, 35, a former colleague of Ellsberg at Rand, is also named as a defendant in the conspiracy count and three other counts.

Russo, on temporary leave as a Los Angeles County Probation Department employee, had been offered immunity from prosecution if he would testify before a grand jury about the case. He refused, and spent 45 days in jail for contempt.

Finally, he agreed to testify if furnished a transcript of his testimony and permitted to reveal its contents. The Justice Department refused to accept the arrangement, but a federal judge ruled that Russo had purged himself of contempt by his offer.

Justice Department attorney David R. Nissen explained that Russo had never actually been granted immunity and can be prosecuted because he never did testify.

The new indictment, in which Ellsberg is named in 12 counts, charges that he obtained secret defense documents not previously mentioned in the case.

One is a memorandum dated Feb. 27, 1968, and entitled, "Report of Chairman, JCS (Joint Chiefs of Staff) on Situation in Vietnam and MACV (Military Assistance Command Vietnam) Force Requirements."

Another is part of a memorandum entitled "Negotiations and Vietnam: A Case Study of the 1954 Geneva Conference."

Other documents named in the indictment include the previously mentioned volumes of a Pentagon study ordered by former Defense Secretary Robert McNamara, entitled, "United States - Vietnam Relations 1945-1967."

Named as unindicted co-conspirators are Vu Van Thai, South Vietnamese ambassador in Washington from late 1965 to early 1967, and Miss Lynda Sinay, 27, petite Los Angeles advertising woman.

The indictment alleges that from about Aug. 20, 1969, to about May 20, 1970, Ellsberg "did willfully communicate, deliver and transmit" to Thai one volume of the 38-volume Pentagon study. It was entitled, "Settlement of the Conflict -- Negotiations, 1967-68 -- History of Contracts."

Thai at that time apparently was a consultant to the administrator of the U.N. Development Program. He is now believed to be with a U.N. river development project in Dakar, Senegal.

The indictment charges that from about March 4

"did willfully communicate, deliver and transmit" to Miss Sinay another volume of the same study, entitled "Evolution of the War—US/GVN (Government of Vietnam) Relations: 1963-1967—Part II."

Miss Sinay, granted immunity from prosecution, is known to have testified

before the grand jury. She told the grand jury that Ellsberg, whom she identified as a "dear friend,"

paid her about \$150 to copy some documents on a Xerox machine in her office, according to her attorney.

The indictment charges that Ellsberg, Russo, Thai and Miss Sinay conspired to "defraud" the United States by defeating its function of controlling dissemination of classified material.

It also charged they conspired to commit a variety of federal crimes, including stealing classified government property, receiving it, concealing it and conveying it to unauthorized persons.

Prosecution of the government's case is expected to be made easier by inclusion of the conspiracy charge. Hearsay statements of coconspirators and other evidence not otherwise admissible can be used in conspiracy cases.

The indictment alleges these overt acts were committed to carry out the conspiracy:

—March 4, 1969, Ellsberg brought 10 volumes of the Pentagon study from Rand Corp. in Washington, D.C., to Los An-

Indicate page, name of newspaper, city and state.)

2.1 Los Angeles Times
Los Angeles, Calif.
part I

Date: 12/31/71
Edition: Friday Final
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

—April 7, 1969, Ellsberg obtained the Geneva Conference memorandum from Rand in Santa Monica.

—Aug. 23, 1969, Ellsberg brought another eight volumes of the Pentagon study from Rand in Washington to Los Angeles.

—Oct. 3, 1969, Ellsberg obtained eight pages of the JCS report on force requirements in Vietnam from Rand in Santa Monica.

—Oct. 4, 1969, Ellsberg, Russo and Miss Sinay operated a Xerox machine at the advertising woman's office, 8101 Melrose Ave.

—Oct. 13, 1969, Thal possessed one volume of the Pentagon study.

—March 4, 1969, to May 20, 1970, Russo possessed

nine volumes of the Pentagon study and the eight pages of the JSC memorandum.

—Oct. 1, 1969, Miss Sinay possessed one volume of the Pentagon study.

In the substantive counts of the indictment, Ellsberg was charged with stealing, receiving, concealing and conveying the documents. Russo is charged with receiving and retaining the documents, failing to deliver them to a person entitled to have them.

At a news conference in New York, Ellsberg—who has publicly acknowledged he leaked the documents to the press—said he will plead not guilty to the new indictment.

"I stole nothing. I did not commit espionage and I am not aware of violating any criminal statute," he said. He called the new indictment "one more example of the government's commitment to nontruth."

Meanwhile, Russo surrendered here and appeared before U.S. Dist. Judge Harry Pregerson, who granted a motion for reduction of bail from the \$100,000 recommended by the government to a \$50,000 personal recognizance bond.

This meant he gained his release merely by signing his name.

"I have no job. I have been living on my savings, and they are almost gone. I am virtually penniless," Russo said.



WITH A FRIEND—Anthony J. Russo has Katherine Borkley, 24, close beside him on his arrival in court to surrender on a new indictment. Miss Borkley said that she and Russo planned to be married.

AP photo

(Mount Clipping in Space Below)

Innocent Pleas for Ellsberg, Russo

Daniel K. Ellsberg and Anthony J. Russo Jr. pleaded innocent at their arraignment in federal court here today on charges stemming from new indictments in the leak of the Pentagon papers.

The two were named in a secret indictment returned by a federal grand jury last Wednesday, superseding an earlier one which named only Ellsberg.

Ellsberg, 40, and Russo, 35, were former colleagues at the Rand Corp. in Santa Monica, where Ellsberg worked as a government consultant.

Ellsberg previously had been charged only with unauthorized possession of government docu-

ments and converting them to his own use.

The new indictment accuses Russo as well, naming him in four of the 15 counts.

Ellsberg is named in 12 counts, which range from conspiracy to charges of stealing, concealing, conveying and receiving government documents and stealing, concealing and retaining national defense documents.

The new indictment involves secret defense documents not formerly mentioned in the case.

U.S. Judge Matt Byrne entered a plea of innocent on Russo's behalf on all four counts and accepted a plea of innocent on all 12 counts from Ellsberg.

He set March 7 for trial.

Russo previously had been offered immunity from prosecution if he would agree to testify before the grand jury concerning the papers, but he refused to do so and spent 45 days in jail for contempt of court.

Later, a federal judge ruled that Russo had purged himself by offering to testify on the condition that he be provided a transcript of his testimony and allowed to reveal its contents, an arrangement which the Justice Department refused to accept.

David R. Nissen, attorney for the Justice Department, said, however, that Russo had never actually been granted the immunity because he never testified and can, therefore, be prosecuted.

(Indicate page, name of newspaper, city and state.)

A-1 Herald-Examiner
Los Angeles, Calif.

Date: 1/4/72

Edition: 8 Star

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

(Mount Clipping in Space Below)

trial of Ellsberg, Russo Scheduled Begin March 7

BY GENE BLAKE
and HOWARD HENTEL
Times Staff Writers

trial of Daniel Ellsberg and Anthony J. Russo on expanded charges conspiracy and other crimes in alleged theft of the Pentagon papers was scheduled Tuesday for March 7 in Los Angeles.

U.S. Dist. Judge Matt Byrne made trial date contingent on whether Ellsberg's attorney, Leonard B. Boudin, is finished with the Harrisburg 8 conspiracy trial in Pennsylvania. If not, an alternate date of April 10 was set for the trial here. At the arraignment before Byrne, Ellsberg, 40, pleaded innocent to the conspiracy count and to each of the other 11 counts in which he is charged in the new indictment turned last week.

However, Dep. Public Defender Michael P. Balaban balked at having Russo, 35, enter a plea at this time.

Objects to Russo Prosecution

Balaban said there was a "serious and substantial question" as to whether Russo could be prosecuted because of immunity "granted" to him to testify before a grand jury. He did not testify.

Byrne, however, said entry of a plea would not prejudice Russo's rights to seek a dismissal on that ground. At Balaban's request, the judge entered not-guilty pleas on Russo's behalf to the four counts in which he is charged and set a hearing on the dismissal motion for Jan. 28.

Boudin, Ellsberg's chief counsel, also represents Eqbal Ahmad, one of the Harrisburg 8 scheduled to go on trial next Monday in an alleged plot to kidnap presidential adviser Henry A. Kissinger and blow up heating tunnels in Washington, D.C. One of the defendants is the Rev. Philip Berrigan.

Attorneys on both sides estimated the trial here may last three months. Ellsberg and Russo were permitted to remain free on \$50,000 personal surety bond pending trial.

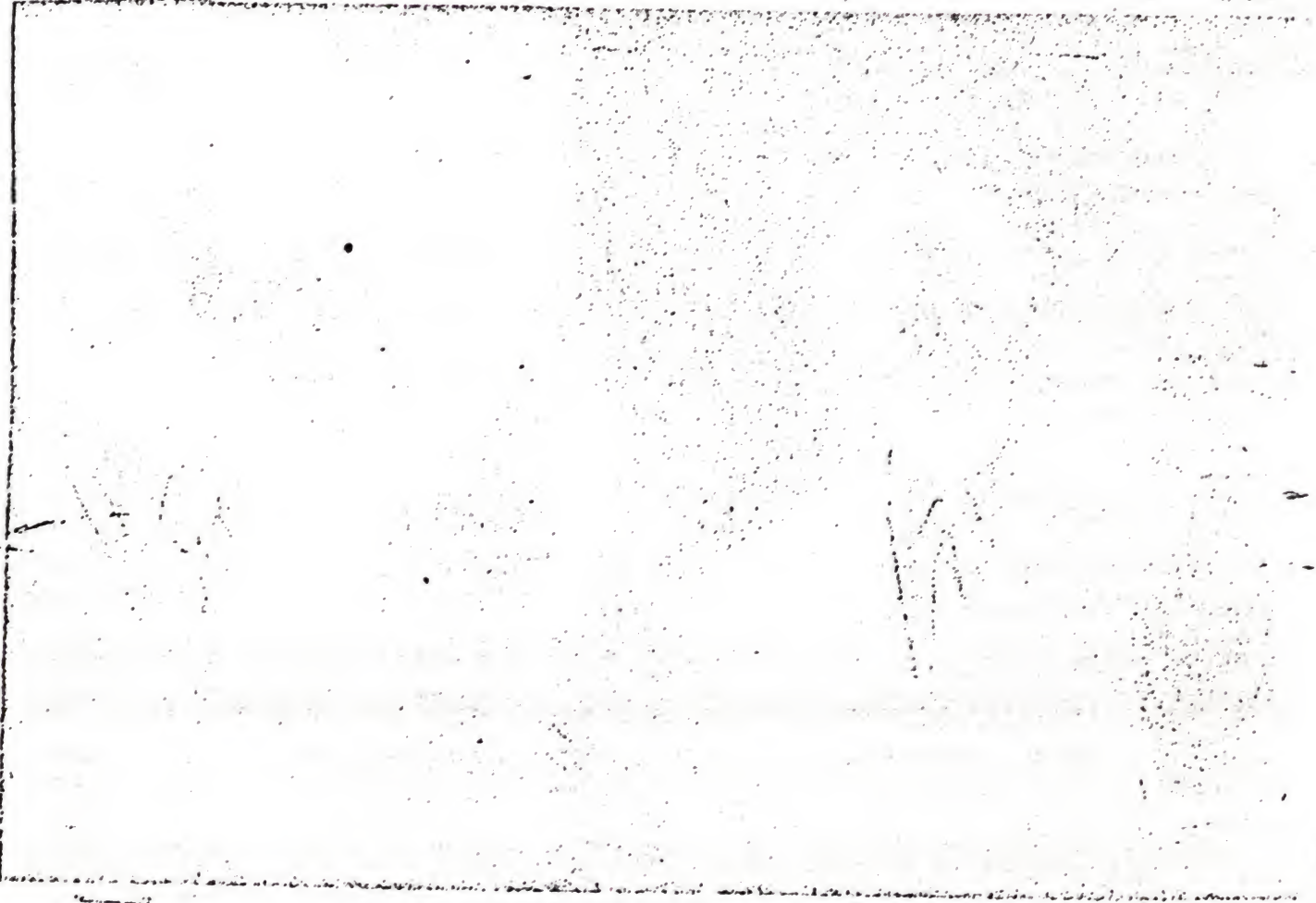
(Indicate page, name of newspaper, city and state.)

II-1 Los Angeles
Los Angeles,

Date: 1/5/72
Edition: Wednes
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office:
☐ Being Investigated

cc Bu
1/5/72



AFTER HEARING—Anthony J. Russo, left, with girlfriend, Katherine Darkley, and Daniel Ellsberg and wife Patricia outside court.
Times photo by Steve Fontana

Russo Will Face Trial in Pentagon Papers Case

Motion to Dismiss Indictment on Basis of Immunity Denied

BY GENE BLAKE
Times Staff Writer

Anthony J. Russo's motion to dismiss his indictment on charges of conspiracy and other crimes in the alleged theft of the Pentagon papers was denied Friday by U.S. Dist. Judge Matt Byrne.

Russo, 35, accused with Daniel Ellsberg, 40, contended through Dep. Public Defender Michael P. Balaban that he had been granted immunity from prosecution.

However, Byrne agreed with Justice Department attorney David R. Nissen that immunity never attached because Russo did not actually testify before the grand jury which indicted him.

Russo was called before the grand jury to tell what he knew of the secret study of the Vietnam war, Ellsberg and the copying of the papers. He took the Fifth Amendment.

Applies for Immunity

The government then applied for immunity for Russo, and U.S. Dist. Judge William P. Gray ordered him to testify. He again refused on grounds of self-incrimination and was held in contempt.

After spending 45 days in jail, Russo agreed to testify if he were furnished a transcript of his testimony. U.S. Dist. Judge Warren J. Ferguson approved this arrangement.

When Russo showed up ready to testify, however, the government refused to accept the condition. Ferguson ruled he had purged himself of contempt and was immune from all further penalties for his refusal to testify.

Byrne ruled Friday that under the statute involved, "immunity attaches at the time that the testimony is given, and the scope of immunity is determined by the testimony that is given."

Gives Ruling on Immunity

He also ruled that Ferguson did not intend to immunize Russo from any subsequent indictment, but only from penalties resulting from the contempt proceedings.

Trial of Russo and Ellsberg had been tentatively scheduled for March 7, but was postponed Friday until May 9. Ellsberg's chief counsel, Leonard B. Boudin, is tied up in the Harrisburg (Pa.) conspiracy trial just now getting under way.

(Indicate page, name of newspaper, city and state.)

II-1 Los Angeles Times
Los Angeles, Calif.

Date: 1/29/72
Edition: Saturday Final
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

(Mount Clipping in Space Below)

He also argued that intent is at the very heart of the case. The defense will show that the intent was political, within the rights of free speech protected by the First Amendment, he added.

Separate Trials Asked

Nesson, who represents Ellsberg, made his comments during a hearing on a series of pretrial defense motions, which will continue today. The trial is set for May 9.

Among the motions argued Tuesday was one for separate trials of the two defendants. Byrne deferred a ruling until he can review statements of the defendants made after their alleged conspiracy ended, which the government intends to offer in evidence at the trial.

The judge ordered government attorneys to provide him with copies of such statements for his private inspection.

Outside of court, Ellsberg told reporters he and Russo want to be tried together. He described the motion for severance as a technical move to keep certain statements made by one defendant from being used against the other.

Another motion taken under submission by Byrne was a demand that the government specify exactly what parts of the secret documents released to the press were related to the national defense.

Ellsberg and Russo Prosecution Called Unconstitutional

BY GENE BLAKE

Times Staff Writer

Prosecution of Daniel Ellsberg and Anthony J. Russo for alleged theft of the Pentagon papers is unconstitutionally discriminatory, the defense charged in court here Tuesday.

Attorney Charles R. Nesson told U.S. Dist. Judge Matt Byrne that the article under which the two men were indicted is continually violated by public officials, but this is the first and only prosecution.

"Leaks of material far more sensitive are literally plastered all over our newspapers," Nesson said.

The difference, he added, is that the leak of the Pentagon papers was embarrassing to the executive branch.

"The motivation for the prosecution is not permitted under equal protection of the laws," Nesson concluded.

(Indicate page, name of newspaper, city and state.)

I-3 Los Angeles Times
Los Angeles, Calif.

Date: 3/1/72

Edition: Wednesday Final

Author:

Editor: William F. Thomas

Title:

Character:

or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

CC for
3/1/72

(Mount Clipping in Space Below)

JUDGE ILL, ELLSBERG HEARING INTERRUPTED

Pretrial hearings in the Pentagon papers case against Daniel Ellsberg and Anthony J. Russo were cut short Wednesday when U.S. Dist. Judge Matt Byrne was rushed to a hospital for an appendectomy.

After surgery at St. Vincent's Hospital, Byrne was reported to be in good condition. He is expected to be hospitalized about a week and at home another week before returning to the bench.

He suffered the appendicitis attack Tuesday night after presiding at an all-day hearing. He was taken to the hospital early Wednesday, then released to conduct a brief hearing with attorneys for Ellsberg, Russo and the government.

Byrne disposed of minor portions of a defense motion, then left hurriedly for the operating room.

No date was set for resumption of the hearings. The trial is scheduled to begin May 9.

(Indicate page, name of newspaper, city and state.)

II-5 Los Angeles Times
Los Angeles, Calif.

Date: 3/2/72
Edition: Thursday Final
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office: Los Angeles

1
LA 105-27952
JFS/bab

Assistant United States Attorney DAVID R. NISSEN advised on March 28, 1972, that Judge W. MATHEW BYRNE had set the following schedule:

April 11, 1972, resume hearings on the pending motions.

May 1, 1972, defense file motions for dismissal.

May 9, 1972, the government response was due on defense motions for dismissal.

May 15, 1972, defense replies were due as well as jury instructions.

May 30, 1972, hearings would be held on motions to dismiss.

Assistant United States Attorney NISSEN advised that the judge did not set a new trial date but indications were it would be shortly after May 30, 1972. In addition, Mr. NISSEN advised that ANTHONY RUSSO had dismissed his court appointed attorneys and had retained JEFFREY BRUCE KUPERS and PETER YOUNG of Los Angeles and LEONARD I. WEINGLASS of Newark. NISSEN stated that KUPERS and YOUNG were unknown to him, however, WEINGLASS was one of the defense counsels in the trial of the "Chicago 7" before Judge HOFFMAN. NJ

2
4/11
18

ANTHONY RUSSO

1Date of transcription 1/4/72

[redacted]
[redacted] California, advised that in the middle or latter part of November 1971, Daniel Ellsberg came to her home in Malibu, California, with one [redacted] who was in the Los Angeles area collaborating with Ellsberg on a book or magazine article, she could not recall which. [redacted] *Calif*
[redacted]

On the day in question she said [redacted] called her, said he was with a friend and asked if they could come out to her house [redacted]. She agreed [redacted] and [redacted] they arrived [redacted] Ellsberg with him and this is the one and only time she has ever met Ellsberg.

She advised she was busy [redacted] did not overhear any of their conversation while they were alone and they did not discuss anything other than general topics while she was with them.

She said she has no information regarding the disclosure of the "Pentagon Papers" nor their distribution.

She said she does not know Anthony Russo personally but has read about him in the newspapers.

Interviewed on 12/29/71 at Malibu, California File # Los Angeles 105-27952

by [redacted] Date dictated 1/3/72

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Date of transcription 1/12/721

[REDACTED]
California was interviewed and advised as follows:

He is presently employed in [REDACTED]
[REDACTED] and is saving up money in order [REDACTED]
[REDACTED]

He last attended Northrup during the Spring semester, 1971. While at school, he and his wife [REDACTED] shared a residence at [REDACTED], California, with several other individuals. These people were [REDACTED]

[REDACTED] All of these people have now moved to [REDACTED] Washington and are working at a research library on pollution.

Neither he nor his wife, [REDACTED], have ever met DANIEL ELLSBERG or ANTHONY RUSSO and only know of them through newspaper articles. Neither he or his wife have ever received a telephone call from RUSSO nor do they know anyone who is acquainted with RUSSO. To his knowledge no one else at the residence knew or has ever received a call from RUSSO.

He commented, however, that many transients frequently stay overnight at the residence - some were fellow students, some friends of students and many others completely unknown to him. He was unable to recall specific individuals or names.

Interviewed on 1/4/72 at San Bernardino, Calif. File # LA 105-27952

by [REDACTED]

Date dictated 1/7/72

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(Mount Clipping in Space Below)



(Indicate page, name of newspaper, city and state.)

P. 2
"Evening Outlook"
Santa Monica, Calif.

Date: 1/8/72

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

☐ Being Investigated

Russo Ties The Knot

Anthony J. Russo, co-defendant with Daniel Ellsberg in charges stemming from the leak of the Pentagon papers, was married to 24-year-old Katharine Barkley in a ceremony at Stanford's

Memorial Church, Friday. (From left) Minister Hardgrove, Daniel Ellsberg, Russo, Miss Barkley. Woman at right is unidentified.

(UPI File)

1Date of transcription 1/25/72

[REDACTED], was interviewed and advised as follows:

[REDACTED] became acquainted with several individuals at the Rand Corporation, Santa Monica, through a friend of hers, one [REDACTED] (phonetic). One of these persons was [REDACTED] Michigan and also a Rand consultant. On one occasion while at a social function at [REDACTED] home she met Anthony Russo and became aware that he was employed at Rand Corporation. She has seen Russo periodically since that time on a social basis and mainly when Russo would stop by at her home. [REDACTED] explained that she has three grown children who are away at college and a nine year old child living at home and Russo has in the past just dropped by to pass the time of day.

She advised she has no knowledge concerning any information relating to the taking, copying or distribution of the so called "Pentagon Papers" and only learned of Russo's involvement when she read the "Time" magazine article bearing the likeness of Daniel Ellsberg. She stated she has never learned anything from Russo concerning his role in this matter.

She explained that recently, during the holidays when her children were home from school, Russo brought his fiancée Kitty Barklay to the home to meet the [REDACTED] family. [REDACTED] stated Russo complained of harrassment from authorities and curiosity seekers following publication of the Pentagon Papers and therefore when he visits her home she attempts to offer him a haven and there is no discussion of his involvement in these matters.

She stated she recently attended a fund raising affair for Daniel Ellsberg in the Los Angeles area, at a residence she could not recall, where she met Mr. and Mrs. Daniel Ellsberg. This was the only occasion she met Ellsberg.

Interviewed on 1/20/72 at Santa Monica, California File # Los Angeles 105-27952

by [REDACTED] Date dictated 1/24/72

1
LA 105-27952
JFS/bab

The following investigation was conducted by
SA [REDACTED] at Los Angeles:

On March 8, 1972, ANTHONY RUSSO appeared before Judge LUIS D. FFDER at West Los Angeles Municipal Court and entered a plea of guilty and requested immediate sentence. His plea was accepted and his request for immediate sentencing was granted. Counts 1, 2 and 3, Driving Under the Influence, were dismissed. Count 4 was Disturbing the Peace and he was sentenced to 30 days suspended, one year probation and fined \$50.00. On Count 5, Reckless Driving, he was fined \$100. He was granted a stay of 45 days, until April 25, 1972, to pay fines totaling \$150.00.

MISCELLANEOUS

(Mount Clipping in Space Below)

Ellsberg Has No Regret for Papers Leak

(Indicate page, name of newspaper, city and state)

A-2 Herald-Exam
Los Angeles, Ca

NEW YORK (UPI) — Dr. Daniel Ellsberg, indicted anew by a federal grand jury in connection with the Pentagon Papers he has acknowledged leaking to the press, said Thursday he was "not aware of violating any criminal statute."

"I can't regret having done my duty as a citizen," Ellsberg told a news conference shortly after the new indictments were returned in Los Angeles. During the news conference, he held hands with his wife Patricia.

After several newspapers published the Pentagon Papers — a classified Pentagon history of American involvement in Vietnam — the grand jury charged Ellsberg with converting government property to his own use and illegally possessing government documents.

Thursday's 12-count indictment was more severe, charging him with conspiracy, theft

of government property and violation of espionage laws.

Anthony J. Russo, who also was named in Thursday's indictment and has spent 47 days in jail on contempt charges for refusing to testify before the grand jury, actually had volunteered to testify in public, but not in a closed-door session, Ellsberg said.

"I stole nothing, I did not commit espionage and I am not aware of violating any criminal statute," said Ellsberg, 40, a researcher at the Massachusetts Institute of Technology.

He said the charges against him were "false," and called them "one more example of the government's commitment to non-truth."

"My husband is profoundly committed to ending the war," Mrs. Ellsberg said. The possibility of his being sent to prison was "something you have to live with," she added.

"This Christmas present to me (the indictment) is nothing compared to the Christmas present the President has given American fliers recently shot down over North Vietnam," Ellsberg said. He was referring to the five days of large-scale bombing over North Vietnam, which ended Thursday. U.S. spokesmen say three American planes were shot down during the bombing; Hanoi says it downed 19.

Any prison sentence he might receive, Ellsberg said, is nothing compared with the penalty paid by those killed during the war.

"It would be presumptuous of me to pity myself," Ellsberg said.

Date: 12/31/71
Edition: 8 Star

Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office: Los An

☐ Being Investigated

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 11 1972

1/11/72
TELETYPE

NR018 LA CODE

836PM NITEL 4-11-72 DLW

TO DIRECTOR (65-74060) ATTN -- DID

PHILADELPHIA

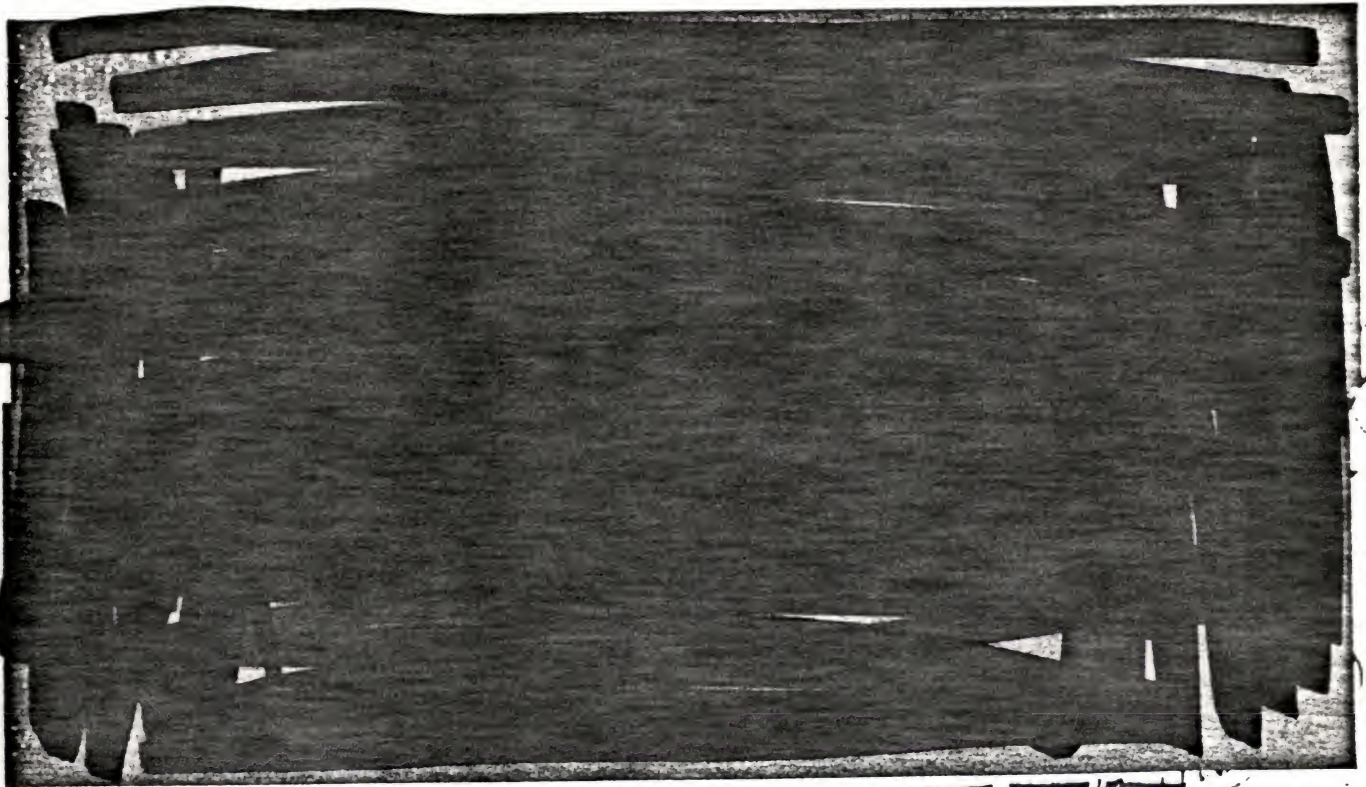
WASHINGTON FIELD (65-11613)

FROM LOS ANGELES (105-27952) 2P

MC LEK, SIO.

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Fonder	_____
Mr. Bates	_____
Mr. Wainwright	_____
Mr. Walters	_____
Mr. S. v. s.	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

PCB/ [signature]



cc to IAD ✓
Adm data deleted

97 APR 21 1972

97 APR 21 1972
[signature]
100-81021

LA 105-27952

PAGE TWO

ADMINISTRATIVE.

HEARING ON MOTIONS HELD APRIL ELEVEN CONCERNING DEFENSE MOTIONS ON BILL OF PARTICULARS AND MOTIONS FOR DISCOVERY. FULL DETAILS OF RESULTS OF THESE ~~HEARINGS~~ HEARINGS WILL BE PROMPTLY FURNISHED BUREAU WHEN MADE AVAILABLE BY DEPARTMENTAL ATTORNEY DAVID NISSEN.

ATTORNEY LEONARD WEINGLASS, REPRESENTING RUSSO, STATED DURING COURSE OF HEARINGS THAT HE WOULD NEED MORE TIME FOR PREPARATION OF RUSSO'S DEFENSE AND REQUESTED A TRIAL DATE OF JULY ONE NEXT. JUDGE MATHEW BYRNE STATED HE HAS SET A SCHEDULE FOR HEARINGS ON MOTIONS, WILL STICK TO THAT SCHEDULE, AND INDICATED TRIAL DATE WILL START AFTER ALL MOTIONS HAVE BEEN HEARD, WHICH WILL PROBABLY NOW BE THE MIDDLE OF JUNE NINETEEN SEVENTY TWO. WEINGLASS FURTHER INDICATED HE INTENDED TO PRESENT MOTIONS RAISING THE WIRE TAP ISSUE ON MAY TWO NEXT. WEINGLASS INDICATED SHE HAS ESTABLISHED RESIDENCE IN LOS ANGELES.

CASE RECEIVING CONTINUOUS AND PREFERRED ATTENTION.

END

Airtel

To: SACs, Detroit (65-4987)
Indianapolis (65-2605)
Kansas City (65-1839)
Los Angeles (105-27952)

4/18/72

1 - ADP
1 - Mr. Wagoner
1 - Mr. Hagy

From: Director, FBI (65-74060)

MC LEK
SIO

Following discrepancies have been noted in connection with telephone numbers [REDACTED]

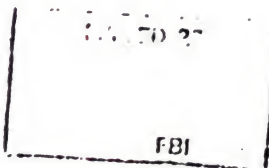
Recipients should immediately resolve these discrepancies and advise Bureau of correct data by airtel (five copies). Detroit, Indianapolis, and Kansas City furnish Los Angeles copy your airtel.

Los Angeles letterhead memorandum (LHM) 1/19/72 identified certain numbers called from telephone number [REDACTED] listed to [REDACTED]. Page seven notes that one of these numbers, [REDACTED] called on 9/29/71, is listed to U. S. Land Management, Pacific Coast, 300 Los Angeles Street, Los Angeles, California. Los Angeles airtel 3/16/72 which lists numbers called from telephone number [REDACTED] listed to the Holiday Inn-Brentwood, 170 North Churchlane, Los Angeles, lists call to telephone number [REDACTED] on 3/2/72 made from room occupied by Daniel Ellsberg, and identifies subscriber to latter telephone number as the U. S. District Court, Los Angeles, California. Los Angeles determine correct subscriber to Los Angeles telephone number [REDACTED]

San Francisco airtel 1/21/72 forwarded toll call records for telephone number [REDACTED] listed to [REDACTED] California. According to these records, four calls were made by [REDACTED] on 7/21/71 to telephone number [REDACTED] located in South Bend, Indiana. Indianapolis airtel and LHM 3/3/72 identifies subscribers to telephone numbers in the

JRH:bsf
(12)

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Baikari _____
Tele. Room _____
Holmes _____
Gandy _____



105

REC-19

SEE NOTE PAGE TWO

15 APR 18 1972

9 APR 21 1972

MAIL ROOM ☐ TELETYPE UNIT ☐

JRH

Airtel to Detroit et al
RE: MC LEK
65-74060

Indianapolis area called from telephone of [REDACTED] noting four telephone calls on 7/21/71 to telephone number [REDACTED] and identifies subscriber to latter number as [REDACTED] Indianapolis determine subscriber to telephone number [REDACTED] furnishing results by airtel and LHM. Provide Bureau with seven copies of LHM.


By airtel 1/19/72 Bureau requested Detroit determine subscriber to telephone [REDACTED] which number was called on 6/18/71 from Washington, D. C. This call was charged to the office of Knight Newspapers, Inc., Room 1286, National Press Building, Washington, D. C. Detroit airtel 2/9/72 noted that inquiry revealed no record could be located for this telephone number by the [REDACTED]. The Bureau has now reviewed the original toll records pertaining to this call and has determined that the number actually called was [REDACTED]. Detroit determine subscriber to latter telephone number and furnish results by airtel.

WFO airtel 10/15/71 furnished copies of toll records pertaining to telephone number [REDACTED] listed to [REDACTED] Washington, D. C. According to these records, a call was made on 7/25/71 to telephone number [REDACTED] Missouri. Kansas City airtel 11/10/71 identifies subscriber to Kansas City, Missouri, telephone [REDACTED] and furnishes background data pertaining to [REDACTED]. Kansas City determine whether [REDACTED] subscriber to telephone number [REDACTED] and if not, identify subscriber to this telephone number and advise Bureau by airtel.

NOTE:

Aforementioned discrepancies which have surfaced while [REDACTED]

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BALTIMORE	OFFICE OF ORIGIN LOS ANGELES	DATE 4/11/72	INVESTIGATIVE PERIOD 2/22/72-3/20/72
TITLE OF CASE DANIEL ELLSBERG; ANTHONY J. RUSSO, JR.		REPORT MADE BY 	TYPED BY lmk
		CHARACTER OF CASE CONSPIRACY-THEFT OF GOVERNMENT PROPERTY; ESPIONAGE	


REFERENCE:

Baltimore report of SA KEVIN FOLEY, 1/27/72.

- P -

ADMINISTRATIVE:IDENTITY OF SOURCES

Confidential sources one (1) through four (4) are individuals in a position to furnish reliable information.



ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

COPIES MADE:

- (5) - Bureau (RM) (65-74060)
 2 - Los Angeles (RM) (105-27952)
 2 - Boston (RM) (65-5236)
 2 - Philadelphia (RM)
 2 - WFO (RM) (65-11613)
 2 - Baltimore (65-3896)
- NOT DISSEM**

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

22 APR 1972

SPEC. INV. OFFICE

ESPIONAGE
STAT-SEC


Dissemination Record of Attached Report

Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

COVER PAGE

36
EXP. PROC.



Baltimore will make specific recommendation relative to
interview of [redacted] and other associates
upon completion of outstanding investigation to identify subscribers
to telephone numbers called by [redacted] for period 6/71 to 2/72.

Airtel

To: SAC, Baltimore (65-3896)

4/18/72

From: Director, FBI (65-74060) - 3421

1 - Mr. Wagoner
1 - Mr. Hagy

MC LEK
SIO

Rerep of [REDACTED] 4/11/72, at Baltimore, and
WFOtel, 3/1/72.

As submitted, referenced report is unsatisfactory and
Bureau is not disseminating same. Promptly resubmit, utilizing
following observations as guidelines:

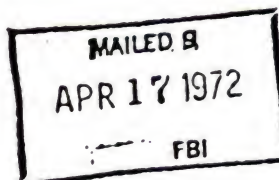
Pages 1, 2, 3, 6, and 7 of referenced report contain
information from certain [REDACTED] records which
undoubtedly was obtained on confidential basis. The original [REDACTED]
[REDACTED] records normally can be brought into court
only by subpoenas duces tecum, and the fact these records can only be
obtained by subpoenas, together with the name of person to be
subpoenaed, should be set out in the details of the report
immediately after the information quoted from these records. Refer
to Manual of Rules and Regulations (MRR), Part II, Section 4,
page 4. Also refer to referenced teletype, page 5, which contains
necessary caveat relating to information from records of the
[REDACTED]

Page 6 of referenced report notes contact at University of
Maryland concerning [REDACTED] but fails to indicate date this
investigation was conducted. Refer to MRR, Part II, Section 4,
page 16, which instructs that except on FD-302s, date of each
investigative act shall be set out in first sentence of paragraph
reporting same.

- 1 - Boston (65-5236)
- 1 - Los Angeles (105-27952)
- 1 - Philadelphia (65-6346)
- 1 - WFO (65-11613)

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Walters _____
Soyars _____
Tele. Room _____
Holloman _____
Gandy _____

JRH:bsf
(9)



SEE NOTE PAGE TWO

97 APR 24 1972
MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:

[REDACTED]
April 11, 1972

Office: BALTIMORE

Field Office File #:

65-3896

Bureau File #: 65-74060

Title:

DANIEL ELLSBERG;
ANTHONY J. RUSSO, JR.

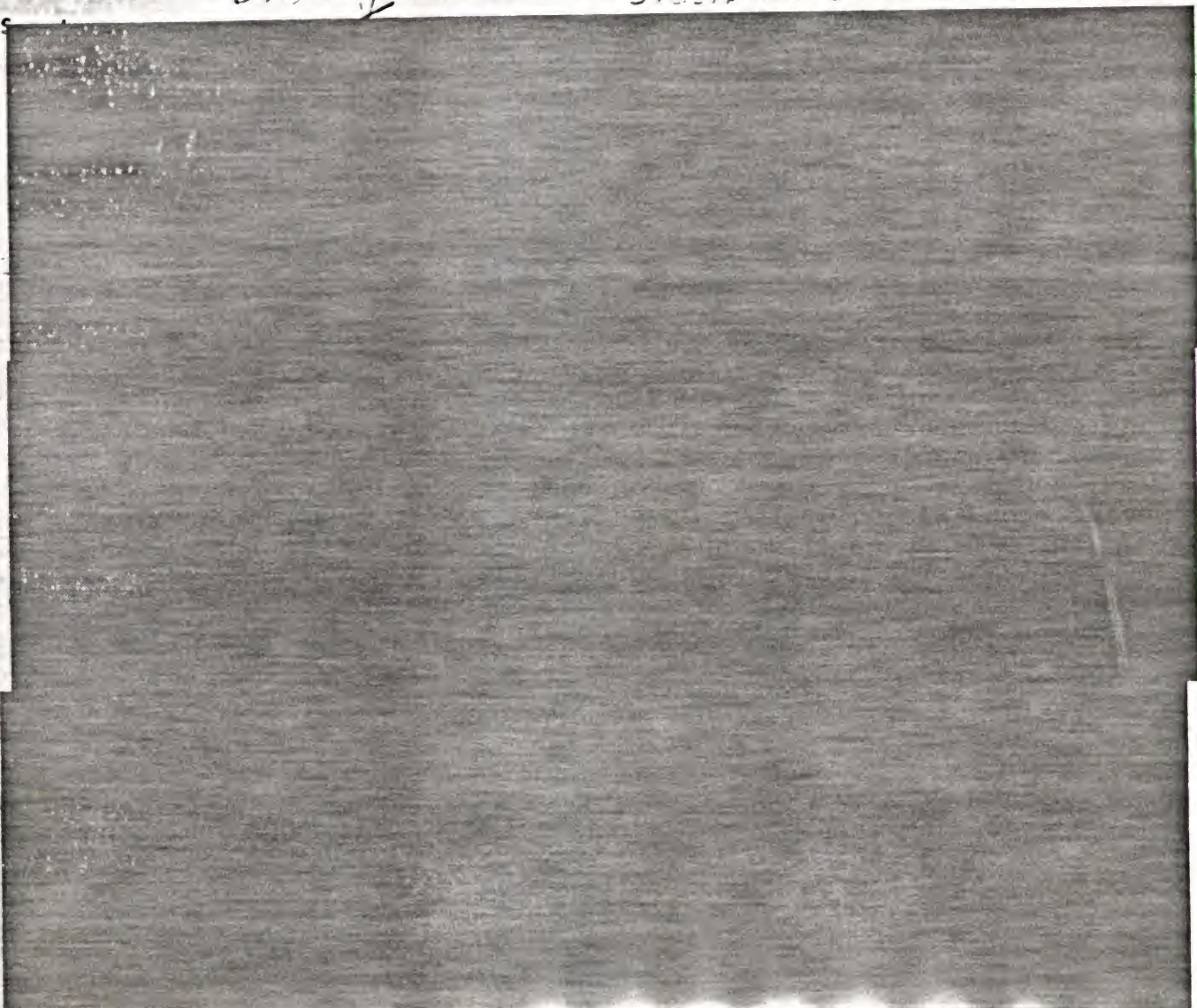
Character:

CONSPIRACY-THEFT OF GOVERNMENT PROPERTY; ESPIONAGE.

2.0 b5

3.0 b5 - 3.0 b7 - 3.0 c

TOP SECRET



Airtel

To: SAC, Boston (65-5236)

4/19/72

From: Director, FBI (65-74060),

1 - Mr. Wagoner

1 - ADP

1 - Mr. Hagy

MC LEK
SIO

ReBSairtel 4/7/72 which forwarded, as enclosures, copies of toll records received from Departmental Attorney Richard J. Barry on 3/21/72.

Careful check of enclosures furnished Bureau indicates toll records for [redacted] telephone number [redacted] not received. Promptly furnish Bureau, by airtel, five copies of these records and insure Los Angeles receives two copies of same.

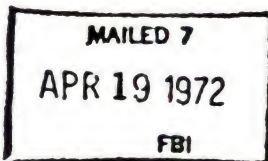
1 - Los Angeles (105-27952)

JRH:bsf
(7)

NOTE:

On 3/3/72 a Federal Grand Jury at Boston, Massachusetts, issued subpoenas duces tecum for records of long-distance telephone calls made by eight individuals whose known activities indicate connections and/or associations with Daniel Ellsberg during or immediately prior to June, 1971, when "The New York Times" first published portions of the "Pentagon papers," which Ellsberg has publicly admitted making available to the press of the U. S. Departmental Attorney, Boston, requested Bureau identify subscribers to numbers called on long-distance basis by these eight individuals and made available to the Boston Office pertinent toll records. Referenced Boston airtel forwarded copies of all of these records with exception of those pertaining to [redacted]

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Walters _____
Soyars _____
Tele. Rm. _____
Holmes _____
Gandy _____



EX-103

APR 20 1972

65-74060-2422

19 APR 19 1972

97 APR 24 1972

MAIL ROOM ☒ TELETYPE UNIT ☐

JRH

Airtel to SAC, Baltimore
RE: MC LEK
65-74060

Page 7 of referenced report notes that the files of the Baltimore Office contain information relating to a letter regarding [REDACTED] but does not indicate the date of the letter, its author, or to whom the letter was directed. In this instance, the files of the Baltimore Office of the FBI should not be shown as the source of this data; rather, pertinent information concerning Galloway should be attributed to the original source, that is, the author of the letter in question. Refer to MRR, Part II, Section 4, page 17.

Cover page A of referenced report notes that confidential sources utilized in referenced report are in a position to furnish reliable information. Delete statement and utilize FD-323.

Score form errors for Agent personnel responsible for preparation and approval of referenced report.

NOTE:

Considerable data contained in referenced report has been improperly reported, rendering referenced report unfit for dissemination and necessitating its resubmission.

PAGE TWO

INTERVIEW [REDACTED] DOUBTED SUCH TAPING WOULD TAKE PLACE AT MANHATTAN CENTER AS EQUIPMENT WOULD HAVE TO BE BROUGHT IN. HE FURTHER NOTED ROOM IN QUESTION RENTED FOR MORNING MEETING BY A UNION AND VIRTUALLY PRECLUDES ROOM BEING AVAILABLE FOR USE BY UHF PRIOR TO THEIR OWN PUBLIC MEETING. NYO WISHES TO POINT OUT TAPING IN QUESTION MAY RELATE TO ORAL RECORDING TO BE MADE PRIOR TO PUBLIC MEETING OR MAYBE RECORDING OF PORTION OF PUBLIC MEETING FEATURING SPEECHES BY ELLSBERG AND PAPANDREOU WHICH WILL BE BROADCAST ON REGULAR SUNDAY NIGHT GREEK RADIO PROGRAM, "FREE VOICE" AT TEN THIRTY PM OVER NEW YORK RADIO STATION WEVD. NYO WILL RECORD THIS RADIO PROGRAM, IN ADDITION TO MONITORING ELLSBERG'S SPEECH AT PUBLIC MEETING OF UHF.

NYO WILL ALSO ALERT [REDACTED] TO APPRISE NYO OF ANY INFORMATION COMMING TO THEIR ATTENTION RELATING TO ANT TYPE CONTACT BETWEEN ELLSBERG AND [REDACTED] IN ADDITION TO THEIR SCHEDULED APPEARANCE AS NOTED ABOVE.

END

REC 2 FBI WA RDR

Airtel

To: SACs, WFO (65-11613) (Enclosure)
New York (65-25641)

4/19/72

From: Director, FBI (65-74060)

1 - Mr. Wagoner

MC LEK
SIO

ReNYairtel 4/5/72 concerning Black Panther Party - Cleaver Faction.

Enclosed for WFO is booklet entitled "The Pentagon's Secrets and Half Secrets," published by "Viet Nam Courier, Hanoi, 1971." For information WFO, referenced New York airtel advised that on 3/24/72 [redacted] New York City, furnished the enclosed booklet as well as a bulletin entitled "The Black Hurricane" and a list of persons to whom these documents were mailed.

WFO should furnish the enclosed booklet to a representative of the [redacted] that is conducting examinations and comparisons of material allegedly printed from the Pentagon documents. The representative should be requested to analyze the enclosed booklet in an effort to determine if any of the material set forth has not previously appeared in print. Should any such information be set forth in the booklet, obtain complete details of the document or documents involved and submit results to Bureau in a letterhead memorandum.

New York advise by return airtel the method by which Postal Inspector [redacted] obtained the booklet, bulletin, and list of persons referred to above. Ascertain whether [redacted] identity should be protected in the event the information is set forth in a communication suitable for dissemination.

1 - Los Angeles (105-27952)

1 - 157-22627 (Black Panther Party)

EX-114

REC-66

JRW:bsf
(8)

MAILED 24

NOTE: The booklet entitled "The Pentagon's Secrets and Half Secrets" appears to set forth a synopsis version and in some instances complete documents apparently obtained from the "Pentagon papers" which were released to the news media by Daniel Ellsberg. If any of the material contained in this booklet has not heretofore appeared in the public domain, the fact that it was in possession of a foreign publication could be significant in the Ellsberg case.

6 APR 20 1972

7 APR 24 1972

MAIL ROOM ☒ TELETYPE UNIT ☐

UNRECORDED COPY FILED

NR 023 NY CODE

1204AM NITEL 4-5-72 BGW

TO DIRECTOR (65-74060)

ALBANY (65-2913)

LOS ANGELES (105-27952)

BOSTON (65-5236)

FROM NEW YORK (65-25641) 2P

MC LEK - SIO

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 5 1972

TELETYPE

Mr. Tolson_____
Mr. Felt_____
Mr. Campbell_____
Mr. Rosen_____
Mr. Mohr_____
Mr. Bishop_____
Mr. Miller, ES_____
Mr. Callahan_____
Mr. Casper_____
Mr. Conrad_____
Mr. Dalbey_____
Mr. Cleveland_____
Mr. Ponder_____
Mr. Bates_____
Mr. Winkart_____
Mr. Walters_____
Mr. Soyars_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

RE BOSTON TEL, APRIL FIVE, SEVENTYTWO, AND NY
AIRTEL AND LHM TO THE DIRECTOR DATED MARCH SEVENTEEN, SEVENTYTWO,
CAPTIONED, "MC LEK-SIO" AND "ANDREAS PAPANDREOU; IS-GREECE".

FOR INFORMATION OF RECIPIENT OFFICES, RE LHM
SET FORTH INFORMATION CONCERNING SCHEDULED APPEARANCE
OF DANIEL ELLSBERG AND ANDREAS PAPANDREOU BEFORE MEETING
SPONSORED BY UNITED HELLENIC FRONT (UHF) ON APRIL TWENTYTHREE,
SEVENTYTWO, AT MANHATTAN CENTER, NEW YORK CITY,
ON APRIL FIVE, SEVENTYTWO, [REDACTED]

END PAGE ONE

9 APR 11 1972

Admin data deleted

FBI

Date: 4/17/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, WFO (65-11613)

MC LEK
SIO

Re report of [REDACTED] dated 4/17/72, captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR.; CONSPIRACY; TGP; ESPIONAGE", and WFO airtel, dated 8/9/71, captioned "MC LEK, NATIONALITIES INTELLIGENCE", enclosing an LHM of the same date, captioned "DANIEL ELLSBERG, ESPIONAGE-X", which contained, in form suitable for dissemination, considerable background concerning [REDACTED] and the Dispatch News Service.

Enclosed for Bureau are 7 copies, Boston and Los Angeles 3 copies each, and Alexandria, Baltimore and New York 1 copy each, of an LHM, dated as above, captioned "DANIEL ELLSBERG; ANTHONY JOSEPH RUSSO, JR.; CONSPIRACY; THEFT OF GOVERNMENT PROPERTY; ESPIONAGE", which incorporates results of investigation at Washington, D.C. and Berkeley, California, to identify associates and determine whereabouts

(3) - Bureau (Enc. 7) ENCLOSURE
(1 - 65-74211)

- 1 - Alexandria (65-67) (Enc. 1) (Info)
- 1 - Baltimore (65-3896) (Enc. 1) (Info)
- 2 - Boston (65-5236) (Enc. 3)
- 2 - Los Angeles (105-27952) (Enc. 3)
- 1 - New York (65-25641) (Enc. 1) (Info)
- 2 - WFO 2 cc 2 LHM to 1 SD Martin (info)

BCR: sup
(12)

NON-SYMBOL SOURCE PAGE ATTACHED

APR 20 1972

Special Agent in Charge

Sent _____ M Per _____

U. S. GOVERNMENT PRINTING OFFICE: 1971-413-138

UNREC COPY AND COPY OF ENCL FILED IN 65-174211-

REC-38
EX. 104

65-74060-3426

10 APR 18 1972

COB 1/2 Jm
C.D.
SPEC. INQ. OFFICE

1 airtel to LHM retained in 610D as tucker
3 LHM 4-20-72 Jm

WFO 65-11613

and activities of [REDACTED] and [REDACTED] during the period March - July, 1971. This information is set forth in the enclosed LHM rather than referenced report, since it includes source information and other non-evidentiary type material.

Three copies of the LHM are furnished Boston and Los Angeles in view of contemplated prosecution in these divisions. Information copies are being furnished Alexandria, Baltimore and New York, since it is anticipated investigation may be requested of these divisions, based upon information in the LHM. Baltimore was also furnished a copy of referenced 8/9/71 LHM, under separate cover, for its information.

The 10/14 and 28/71 checks of the records of The [REDACTED] concerning [REDACTED] and [REDACTED] respectively, were made by [REDACTED]. It is noted that similar checks by [REDACTED] on 2/24/72, concerning [REDACTED] and [REDACTED], failed to disclose identifiable records. A check of the records of the Metropolitan Police Department, Washington, D.C., by [REDACTED] on 2/24/72, concerning [REDACTED] failed to disclose any identifiable records.

Review of the District of Columbia Real Estate Tax records, on 2/27/72, was made by [REDACTED]

Reviews of Passport Office records concerning [REDACTED] and [REDACTED] JR., were conducted by [REDACTED]

Sources utilized in the details of this report are identified as follows:



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535
April 17, 1972

Title DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.

Character CONSPIRACY; THEFT OF GOVERNMENT
PROPERTY; ESPIONAGE
Reference Memorandum dated and captioned
as above.

All sources (except any listed below) whose identities
are concealed in referenced communication have furnished reliable
information in the past.

[REDACTED]



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535
April 17, 1972

In Reply, Please Refer to
File No.

DANIEL ELLSBERG;
ANTHONY JOSEPH RUSSO, JR.
CONSPIRACY; THEFT OF GOVERNMENT PROPERTY; ESPIONAGE

This memorandum reports investigation at Washington, D.C. and Berkeley, California, to identify associates and establish whereabouts and activities of [REDACTED] and [REDACTED] during the period March-July, 1971.

ENCLOSURE

105-74000-34-b

BS 65-5236

Harvard University on 10/22/71. The Boston Office did not transcribe ELLSBERG's speech to his graduating class on that occasion.

Re Boston LHM dated 1/14/72 contained all available information concerning speech by ELLSBERG on 11/17/71. Agents of the Boston Office made a transcription of ELLSBERG's speech on 11/17/71; however, the quality of the tape was too poor to provide a verbatim transcription of his speech.

The Boston Office has been unable to determine if the "Harvard Crimson" carried articles pertaining to ELLSBERG's speech at Lowell Hall, Harvard University, on 11/17/71.